

AGENDA
OURAY CITY COUNCIL
320 6th Avenue – Community Center MASSARD ROOM
May 6, 2019
Work Session 5pm and Regular Meeting 6pm

- Electronic copies of the Council Packet are available on the City website at www.cityofouray.com. A hard copy of the Packet is also available at the Administrative Office for interested citizens.
- Action may be taken on any agenda item
- Notice is hereby given that a majority or quorum of the Planning Commission, Community Development Committee, Beautification Committee, and/or Parks and Recreation Committee may be present at the above noticed City Council meeting to discuss any or all of the matters on the agenda below for Council consideration

Work Session 5pm

Short-term Rentals – Proposed Ordinance Review [Page 2](#)

Regular Meeting 6pm

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. CEREMONIAL/INFORMATIONAL
Mental Health Proclamation [Page 65](#)
5. APPROVAL OF MINUTES - April 1, 2019, April 15, 2019, and April 22, 2019 [Page 66](#)
6. CITIZENS' COMMUNICATION
7. CITY COUNCIL REPORTS/INFORMATION
Glenn Boyd, Dawn Glanc, Bette Maurer, Dee Hilton, and Pam Larson
8. DEPARTMENT REPORTS
 - a. Interim City Administrator [Page 81](#)
 - b. Acting Police Chief [Page 85](#)
 - c. Public Works Director [Page 88](#)
 - d. City Resources Director [Page 90](#)
9. CONSENT AGENDA [Page 93](#)
 - a. Resolution for Approval of Emergency Operations Plan Update [Page 95](#)
 - b. Liquor License Renewal – For the Love of Food dba Bon Ton [Page 164](#)
 - c. Liquor License Renewal – Friends of the Wright Opera House [Page 165](#)
 - d. Liquor License Renewal – Ouray Brewery LLP dba Ouray Brewery [Page 166](#)
 - e. Liquor License Renewal – Outlaw Tradition LLC dba Outlaw Restaurant [Page 167](#)
10. ACTION ITEMS [Page 168](#)
 - a. Mobile Food Vending Ordinance – 2nd Reading [Page 170](#)
 - b. Beautification Committee Appointment [Page 175](#)
 - c. No Check Policy [Page 176](#)
 - d. Establish Internal Hiring Procedures for Interviews for City Administrator Position
11. DISCUSSION [Page 178](#)
 - a. Ouray Tourism Office Work Session Follow-up
 - b. Rock Fall/Flooding in the City
 - c. Future Agenda Items
12. EXECUTIVE SESSION – For a personnel matter under C.R.S. 24-6-402(2)(f) to consider the internal applications for the City Administrator position and possibly conduct interviews to determine finalists and for or a conference with the City attorney for the purpose of receiving legal advice concerning the hiring process and compliance with open meetings law under C.R.S. 24-6-402(4)(b)
13. ACTION ITEM
Possible action to announce finalists for the permanent City Administrator with the appointment to occur on May 20, 2019
14. ADJOURNMENT

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Ouray, Colorado 81427



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TO: Ouray City Council
FROM: Chris Hawkins, Community Development Coordinator
DATE: April 30, 2019
SUBJECT: Short-term Rental Regulations Work Session

Attachments:

Exhibit A: Draft Short-term Rental Regulations
Exhibit B: March 3, 2019 Work Session Staff Memo

BACKGROUND

The City Council conducted a joint work session with the Short-term Rental Committee and the Ouray Planning Commission on March 3, 2019. The changes discussed at that work session are redlined in the Draft Short-term Rental Regulations as shown in Exhibit A ("**Regulations**"). The definitions in Section 7-2 were not changed from earlier drafts of the Short-term Rental Regulations.

New major changes to the Regulations include:

1. The addition requirement that the existing non-conforming short-term rentals in the R-1 Zone District that comply with the Regulations.
2. The deletion of condominium-hotels as an exemption to the Regulations since these types of projects do not yet exist in the City. The City could classify any proposed condominium-hotels as a lodging business.
3. The deletion of the Planning Commission proposed cap on short-term rentals based on the direction of City Council at the March 3, 2019 meeting. Since that meeting several citizens have expressed a desire to keep the cap in the regulations.
4. The allowance of signs for short-term rentals in the C-1 and C-2 zone districts consistent with the Sign Regulations.
5. Changing the parking requirement to be one space per bedroom, and require on-street parking to comply with the City Municipal Code requirements.
6. The addition of a provision that allows for a portion of a dwelling to be rented out if it has a separate entrance, has been constructed in accordance with the City Building Regulations, no more than one short-term rental is provided on a property, and the building use and design complies with the underlying zone district requirements.
7. The addition of a requirement to evaluate a property to ensure the required plant investment fee and applicable utility fees are being paid.
8. An expanded list of information that is readily posted in a short-term rental, including the noise ordinance; watering restrictions; the address; emergency notification sign up and trailer parking locations.

Staff has attached the memo for the March 3, 2019 work session as a reference for the City Council and the public.

RECOMMENDATION

The City Council should review the draft of the Regulations shown in Exhibit A and develop a list of any questions, issues, concerns, or desired changes. The City Council should also discuss if an ordinance should be prepared to adopt the STR Regulations. If the consensus is to move forward with an ordinance at this time, the Council should direct staff to prepare the ordinance, and to make any changes that represent the Council consensus from the May 6, 2019 work session.

Draft Short-term Rental Regulations

7-2 Definitions

Lodging Business means a lodging unit, ~~or~~ hotel, motel, lodge, inn, bed breakfast, hostel or condominium-hotel, or other building or group of buildings, including on and off site lodging units, containing lodging units that are used for temporary occupancy for sleeping purposes, ~~that are rented on a short-term basis of less than thirty (30) days, and excludes short-term rental as defined herein. the short-term rental of single family, duplex, or multi-family dwellings that meet the Short-term Rental Regulations in Section 7-5-J-10.~~

Short-term Rentals means any rental or lease of a single-family, duplex, or multi-family property, lodging unit, dwelling unit, or part thereof, for less than thirty days. Short-Term Rentals are subject to the Lodging and Occupation Tax imposed by the City in Chapter 3 of the Municipal Code, and. Short term rental of single family, duplex, or multi-family dwellings, or portions thereof, shall meet the Short-term Rental Regulations in Section 7-5-J-10.

New Ouray Land Use Code Section 7-5-J-10 Short-term Rental Regulations

10. Short-term Rental Regulations

- a. **Purpose.** The Short-term Rental Regulations are intended to protect the public health, safety, and welfare; preserve the character and ambience of neighborhoods within the City; prevent adverse impacts attributable to short-term rentals; collect data on short-term rentals; and to ensure compatibility with surrounding land uses.
- b. **Applicability.** The Short-term Rental Regulations are applicable to the short-term rental of any single-family, duplex, or multi-family dwelling located in the R-2, C-1, and C-2 Zone Districts.
 - i. Short-term rental of dwelling units in the R-1 Zone District are prohibited. However, the existing legal non-conforming short-term rentals in the R-1 Zone District shall be required to comply with these regulations until the use ceases and is no longer allowed.
 - ii. Short-term rental of accessory dwelling units is prohibited.
 - iii. Lodging businesses are not subject to these regulations.
 - iv. The short-term rental or property shall be subject to the City of Ouray Lodging and Occupation Tax.
 - v. ~~These regulations shall not apply to condominium hotels that may be operated as a lodging business provided the condominium is created in accordance with the requirements of the OLUC.~~
- c. **Registration and Licensing.** A separate short-term rental license is required for each short-term rental.
 - i. Applicants for a short-term rental license, or renewal of a license, shall submit a short-term rental application and other City required application materials along with the application fee as set by the City in a fee resolution.
 - ii. The applicant/licensee shall reimburse the City for all out-of-pocket costs incurred during review of the application or license by outside consultants, including but not limited to legal fees and engineering fees. The City shall bill the applicant/licensee upon completion of the application or review process and completion of any conditions thereof. No application or license shall be finally approved until the bill is paid.
 - iii. Community Development staff will review and act on short-term rental licenses.

Draft Short-term Rental Regulations

- iv. As a condition of the issuance of an initial license, the City shall conduct a site inspection to ensure the standards set forth in this Section will be met, including but not limited to parking, carbon monoxide detectors, smoke detectors, street addressing, and lighting.
 - a) License renewals shall not require an additional inspection unless Community Development staff determine a new inspection is required due to changes since the last application, past complaints, or other issues that arise from the license review.
- v. A short-term rental license shall be granted solely to the owner of record of the property for which the license is issued and shall not be transferable to any other person.
 - a) The short-term rental license may list a responsible party to ensure the requirements of this Section are met; however, the property owner shall remain responsible for compliance.
- vi. The Community Development Department may impose reasonable license conditions to ensure the requirements of this Section will be met.
- vii. Short-term rental licenses shall be issued for a period of two (2) years ~~and subject to biannual renewal.~~
- viii. All existing short-term rentals shall apply for a short-term rental license within three (3) months of the effective date of this ordinance. Thereafter, short-term rentals without a license shall be considered illegal and the City may pursue enforcement action.

~~d. **Short-term Rental Cap.** The number of short-term rental licenses in the City of Ouray shall be limited to 139 dwelling units at any one time.~~

~~i. Short-term rentals that are included in the City Monthly Lodging and Occupancy Tax Report as of October 1, 2018 (“Current Short-term Rentals”) shall be given priority for issuance of a short-term rental license prior to the issuance of any new license by the City.~~

~~a) Current Short-term Rentals shall submit an application for a short-term rental license by March 29, 2019; if such an application is not submitted by such date, the Current Short-term Rental shall lose its priority status and be treated as any other eligible property in the City.~~

~~b) Current Short-term Rentals that submit an application for a property that does not meet the requirements of the Short-term Rental Regulations shall be denied the issuance of a short-term rental license.~~

~~ii. Only complete applications will be considered, with licenses issued by the City on first complete application—first considered basis, with Current Short-term Rentals given priority for issuance of a short-term rental license within the cap and application deadlines established by this section.~~

e.d. Standards.

- i. A short-term rental shall not change the residential character of the property, ~~either by use of colors, materials, lighting, advertising, excessive site improvements, or other by improvements actions~~ that change the residential character.
- ii. A short-term rental shall not cause a public nuisance through adverse impacts such as lighting, parking, signage, noise, glare, vibrations, or odors.
- iii. Signs are prohibited for short-term rental in the R-1 and R-2 zone districts.

Draft Short-term Rental Regulations

- a) Short-term rentals that currently have a sign in the R-1 and R-2 zone districts shall remove all signage as a part of obtaining a license.
 - a)b) Signs in the C-1 and C-2 zone districts shall comply with the City Sign Regulations.
- iv. All short-term rentals shall clearly post the correct address in accordance with City addressing and street numbering requirements.
- v. The maximum number of persons per short-term rental shall be two (2) per bedroom, plus two additional persons ~~provided a sofa bed, Murphy bed, or similar temporary bed is provided in the short term rental.~~
- vi. In addition to Ouray Municipal Code Section 10-2-Y, short-term rentals shall be subject to quiet hours between 11:00 PM and 7:00 AM.
- vii. One parking space per ~~two (2)~~ bedrooms shall be provided.
 - a) All parking for the short-term rental shall be provided on site, or on-street fronting the short-term rental where on-street parking is allowed by the City.
 - b) The on-street parking shall not be reserved for the short-term rental and will be available to the general public on a first come, first served basis.
 - c) No parking shall occur on sidewalks, lawns, or other landscaped improvements.
 - d) Trailer parking on City streets shall comply with the Ouray Municipal Code.
 - e) Parking shall be constructed and provided on-site if physically possible based on standard engineering practices.
 - f) On-street parking shall meet the applicable provisions of the Municipal Code and the parking requirements of the underlying zone district.
- viii. Short-term rentals shall meet the applicable snow removal and storage policies of the Municipal Code.
- ~~viii.~~ix. The short-term rental license shall designate a responsible party who is located within a forty-five (45) minute drive of the City and available for immediate response to issues or emergencies that arise from the short-term rental.
- ~~ix.~~x. A short-term rental shall only be leased or rented out to one party that occupies the entire dwelling. Individual rooms within a single-family dwelling short-term rental shall not be rented out separately unless either (a) the dwelling unit has a separate, attached, or detached dwelling unit that complies with the applicable Municipal Code requirements (Building Code, OLUC, etc.); or (b) the short-term rental has a separate entrance from the primary dwelling, the short-term rental bedroom or area has been constructed in accordance with the City Building Regulations, no more than one short-term rental bedroom is provided on the property, and the building use and design complies with the underlying zone district requirements.
 - a) Multi-family buildings may have more than one short-term rental provided a license is obtained for each dwelling unit and no more than twenty percent (20%) of the units are short-term rentals. ~~Condominium-hotels shall be exempt from this limitation.~~
- ~~x.~~xi. The owner or responsible party shall collect and pay all applicable local, state, and federal taxes, including the City's Lodging and Occupancy Tax.

Draft Short-term Rental Regulations

- ~~xii.~~ xii. The short-term rental shall meet all applicable local, state, and federal regulations, such as the Colorado requirement for carbon monoxide detectors (CRS 38-45-101 et seq.), the Building Code requirement for smoke detectors, and life-safety Building Code requirements, such as egress from sleeping areas.
- xiii. One (1) fire extinguisher shall be kept and maintained within the short-term rental kitchen area.
- ~~xiii.~~ xiv. Short-term rentals shall be evaluated to ensure required plant investment fees and City utility fees are paid.
- ~~xiii.~~ xv. The short-term rental property shall be kept free from litter and junk as required by Ouray Municipal Code Section 10-2-Z.
- ~~xiv.~~ xvi. Trash or recycling shall not be stored in a location that is visible from the public street or sidewalk. The short-term rental shall comply with Ouray Municipal Code Section 12-1, with arrangements for proper disposal of garbage, refuse and trash collection.
- a) Short-term rentals shall be charged the residential rate to manage trash. The City may require a short-term rental property to provide for two or more residential trash services at the same address to manage trash (paying for two residences), or to provide for a commercial trash pickup of trash if residential service and pickup cannot manage trash in accordance with the Municipal Code and these regulations.
 - b) Trash shall be properly managed and not visible or overflowing so as to cause a nuisance.
 - c) Animal resistant trash containers shall be provided as required by the Ouray Municipal Code.
- ~~xv.~~ xvii. Short-term rentals shall replace any exterior open light fixtures with dark sky compliant lighting.
- ~~xvi.~~ xviii. The following information shall be posted in readily visible location within the short-term rental:
- a) The Short-term Rental License issued by the City;
 - b) Contact information for the owner and, or, responsible party;
 - c) Maximum number of guests;
 - d) Location of fire extinguishers;
 - e) A copy of the noise ordinance and Quiet hours of 11 PM to 7AM;
 - ~~e)f) Key City laws such as watering; and fire bans;~~
 - ~~f)g) Trash disposal information;~~
 - h) Address;
 - i) How to sign up for emergency notifications;
 - ~~g)j) Locations where trailer parking is allowed~~Other information???
- ~~xvii.~~ xix. All online or published advertising for the short-term rental shall display the City of Ouray Short-term Rental License number.
- ~~f.e.~~ Violations, Revocation and Penalties.
- i. The Community Development Coordinator, or other such authorized person as designated by the City Administrator, may revoke or suspend a short-term rental license for a violation of the Short-term Rental Regulations or a violation of the Ouray Municipal Code.
 - ii. The administration and enforcement of the Short-term Rental Regulations shall be as provided for in OLC Section 7-3-A.

Draft Short-term Rental Regulations

- iii. In addition to the foregoing serious or repeat violations of the Short-term Rental Regulations may warrant administrative revocation of a short-term rental license for a period of up to two (2) years.

~~g.f.~~ Appeals.

- i. Appeals of administrative decisions under this Section shall be made pursuant to OLUC Section 7-5-H.

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TO: Ouray City Council, Ouray Planning Commission and Short-term Rental Committee
FROM: Chris Hawkins, Community Development Coordinator
DATE: February 25, 2019
SUBJECT: **Short-term Rental Regulations Work Session**

Attachments:

Exhibit A: Short-term Rental Committee Cover Letters, Ordinance and Application Form
Exhibit B: Draft Short-term Rental Regulations
Exhibit C: Current Short-term Rental Unit List from the Tax Report
Exhibit D: Public Comments on Proposed Regulations

BACKGROUND

The City Council formed the Short-term Rental Committee ("**Committee**") in the fall of 2017 to evaluate the impacts of short-term rentals and draft initial Short-term Rental Regulations ("**STR Regulations**"). The Committee members include Sharon Wild, Michael Underwood, Bill Leo, Erin Eddy, Craig Hinkson, Dolgio Nergui, Bill Hall, Taryn Lee, Bruce Gulde and Tom Elliston, with Bette Maurer as the Council liaison. The Committee provided the initial draft of the STR Regulations to the Community Development Department in February of 2018 for Planning Commission and City Council consideration (Exhibit A).

The Planning Commission began its deliberations of the Short-term Rental Regulations in May of 2018. During the review of the Committee's STR Regulations the Planning Commission directed staff to redraft the regulations based on the Committee's work, comparable community regulations, and to create succinct and clear regulations. The end result of the Planning Commission's direction is shown in the draft Short-term Rental Regulations as set forth in Exhibit B. The Planning Commission unanimously passed a motion at its October 10, 2018 meeting recommending the City Council adopt the Short-term Rental Regulations.

The Planning Commission's main concern on short-term rental of dwelling units is that they are "hollowing out" residential neighborhoods and the community, with some blocks having exceptionally high numbers of short-term rental properties. The Planning Commission was also concerned that short-term rental unit demand will continue to grow and the city will gain additional unoccupied housing units, with short-term rental caps in the Town of Ridgway (maximum cap of 50 units) and Ouray County (maximum cap of 100 units) driving more investors to seek short-term rental properties in the City of Ouray.

This City of Ouray has an exceptionally high percentage of vacant, unoccupied properties with 42.4% percent of the housing stock unoccupied in 2017 as shown in Table 1. This data shows that the percent of vacant housing units has been creeping up over time from approximately 37% in 1980 to 42% in 2017 (Approximately 5% increase). The number of vacant housing units has increased from approximately 164 units in 1980 to 348 units today which is an increase of 184 units in 17 years. The number of occupied housing units has increased from approximately 280 units in 1980 to 473 units in 2017 which is an increase of 193 units. Thus, the number of vacant versus occupied housing units added since 1980 is close (184 vacant units to 193 occupied units).

It is important to note that some of the vacant housing units are simply second homes and not short term rentals. The 112 short-term rentals shown in Exhibit C represents 32% of the total vacant housing units in 2017. However, the 112 short-term rentals represents approximately 61% of the vacant unit increase seen since 1980 (184 units).

Table 1. Population, Housing and Occupancy

Year	Total Population	Total Housing Units	Occupied Housing Units	Vacant Housing Units	Vacancy Percent
1980	684	444	280	164	36.9%
1990	644	480	292	188	35.8
2000	813	583	374	209	35.8%
2010	1,003	802	458	344	42.9%
2015	1,003	809	458	351	43.3%
2017	1,034	821	473	348	42.4%

Source: Colorado State Demography Office

The City Council conducted a work session on the STR Regulations at the November 5, 2018. The City Council conducted a discussion on the STR Regulations at the December 3, 2018 meeting and directed staff to set up this work session with the Committee and Planning Commission.

Both the Committee and the Planning Commission discussed if the STR Regulations should include a cap on the number of short-term rental units in the city. The Committee did not have any cap in its draft regulations. The Planning Commission felt that a cap was needed in order to assure that additional short-term rental units would not contribute to the city's housing issues or the hallowing out of neighborhoods and the community.

The Planning Commission recommended the City Council adopt a cap on the number of short-term rental units at the current number on the Lodging and Occupancy Tax Report ("**Tax Report**") plus 15 units to allow for some wiggle room in the number of units shown on the Tax Report. The current number of short-term rental units shown on the current Tax Report is 112 units, so the cap recommended by the Planning Commission would be 127 units. The current short-term rental units are shown in Exhibit C. Table 2 breaks down the location of the current short-term rental units by zone district.

Table 2. Short-term Rentals By Zone District

Zone District	R-1	R-2	C-1	C-2	Total Short-Term Units
Total Units	6	68	31	7	112

It is important to note that Exhibit C does not include lodging businesses as defined by the Ouray Land Use Code ("**OLUC**")

“Lodging Business means a lodging unit, or hotel, motel, lodge, inn, bed breakfast, or other building or group of buildings, including on and off site lodging units, containing lodging units for temporary occupancy for sleeping purposes that are rented on a short-term basis of less than thirty (30) days.”

The short-term units in the R-1 Zone District are a legal non-conforming use since the units existing prior to the City prohibiting short-term rentals in the R-1 Zone District. The short-term units in the C-1 Zone District are mostly second floor apartments over commercial space.

The following sections briefly discuss the key issues and considerations that have been discussed by the Committee, Planning Commission and City Council.

To Cap or Not to Cap the Number of Short-term Dwelling Units

The Committee did not recommend a cap. The Planning Commission recommended a cap as discussed above. The provision of a cap in the STR Regulations is the main issue that should be discussed at the February 25th work session.

STR Regulations and Takings

The City Attorney has reviewed and edited the draft Short-term Rental Regulations, and confirmed that adding a cap on the number of short-term rental units would not constitute a regulatory takings of private property rights. The City Attorney indicated that the City must, however, give priority licensing to the current short-term rental units shown on the Tax Report. No detailed studies are needed to justify a cap in the STR Regulations.

Signs

The Planning Commission recommended that short-term rentals not be allowed to have signs to ensure the character of the city is not impacted. The main issue with signs is that any amendment to the City’s Sign Regulations must be content neutral and have such apply to all development in a given zone district. So any sign allowance for a short-term rental would also apply to residential or commercial development and could have the impact of sign proliferation in the community, such as allowing signs in residential areas or excessive signs in commercially zoned areas. Staff therefore continues to recommend that signs be prohibited for short-term rentals since addresses are required be posted per the proposed STR Regulations.

Trash

The STR Regulations required that the commercial trash rate be applied to short-term rentals due to the commercial nature of the rentals and what can be excessive trash and recycling due to unit turnover and the number of people in a unit. There is no City commercial rate. Staff has amended the STR Regulations to allow for the residential rate for short-term rentals that allows the City to either require additional residential service (2 or more residential rates at the same address) or the use of a commercial hauler if trash cannot be accommodated through the residential rate.

Short-term Rentals for Local Housing

A few local property owners have requested an exemption to any cap on short-term rental units if new units are used to help pay for a local to purchase a home in the community. This type of exemption should require a deed restriction that runs with the property to ensure the owner is a

local employee, the home is a primary residence, and the short-term rental meets the proposed STR Regulations. Staff would note that long-term rental of bedrooms and legal accessory dwelling units have also provided a means for locals to buy housing. The allowance for short-term rentals for housing may be more lucrative, but the provision of long-term housing may also provide for needed financial incentives for a local to afford housing. Other considerations include administering and enforcing a deed restriction; lifting the allowance for short-term rentals and deed restriction when a property is sold; and equal treatment for all property owners.

Property Tax on Short-term Rentals

A question arose on how short-term rentals are taxed. The County Assessor indicated that current State law requires dwelling units to be taxed on residential use whether a unit is rented long-term or short-term. There is no different or higher tax if a dwelling unit is used for a short-term versus a long-term rental. This law may change at the State level but is outside the scope of the STR Regulations and City oversight.

Non-conforming Short-term Rentals

There are some short-term rental units listed in Exhibit C that do not meet all of the proposed criteria set forth in the proposed STR Regulations, such as the unit rented out by Dolgio Nergui and her husband. The City will still issue a permit to Dolgio and treat it as a non-conforming unit and only require compliance with standards that do not impact the as-built design of the unit. For example, the City would not require the provision of a kitchen in Dolgio's unit but would require fire extinguishers, addressing, off-site parking if practical, and other standards that can be met. The evaluation of property specific nonconformance will have to be completed on a case-by-case basis, with life safety requirements non-negotiable (smoke alarms, carbon monoxide alarms, egress, etc.).

Inclusion of C-1 and C-2 Zoned Property

A few property owners have requested that the City not include the C-1 or C-2 zone districts due to the commercial nature of the zoning. There are numerous properties in the C-1 Zone District that have residential dwelling units over main level commercial space. These dwelling units provide housing to the community along with year round activity and vitality in the downtown core. The C-1 and C-2 Zone District also have the potential for a large number of dwelling units via development of the North Corridor and infill development of the downtown core. The STR Regulations should be equitably applied to the rental of all dwelling units that are not a lodging business. Any cap in the STR Regulations would also prevent new short-term rentals through conversion or new development.

RECOMMENDATION

The City Council, Committee and Planning Commission should review the draft of the STR Regulations and develop a list of any questions, issues, concerns, or desired changes. The City Council should also discuss if an ordinance should be prepared to adopt the STR Regulations. If the consensus is to move forward with an ordinance at this time, the Council should direct staff to prepare the ordinance, and to make any changes that represent the Council consensus of the work session.

CITY OF OURAY SHORT TERM VACATION RENTAL COMMITTEE

January 31, 2018

City of Ouray
 Land Use Department
 Planning Commission
 POB 468
 320 6th Avenue
 Ouray, CO 81427

Re: Short Term Rental Vacation Ordinance (STVR) v1.31.18

To Whom It May Concern:

Enclosed, please find the final STVR Ordinance that our volunteer advisory committee has worked diligently on since November of 2017. The ordinance was modeled after the Town of Silverton's Vacation Rental Ordinance No. 2017-09. The suggested ordinance supports Short Term Vacation Rental use in the C1, C2 and R2 zoning districts within the City of Ouray while also recognizing the need for the monitoring of STRs in regards to life safety issues and compliance with all City of Ouray municipal codes. Please keep in mind, these volunteers are not versed in the proper, legal verbiage and definitions, and as such, some may not be worded properly, however we hope our intent and spirit of this draft is clear.

Of greatest concern to our committee in these discussions was the significant underlying problem within the City of Ouray of the lack of municipal code enforcement. **The STVR advisory board hereby strongly suggests to the City of Ouray that their municipal codes be followed by citizens and effectively enforced by the City. The City of Ouray may also want to consider updating the current Land Use Code with a modern and less ambiguous code.**

During our meetings over the past several months, the STVR advisory board discussed numerous topics which included but were not limited to: Impacts of STRs on the community in regards to the diminishing availability of long term rentals, employee housing, code enforcement, ~~disproportionate property taxation rates in the C1, C2 and R2 zoning districts~~, sales tax and LOT tax collection, life safety issues, parking, occupancy levels, zoning, and STVR application and renewal fees.

Striking a balance between the regulation and acceptance of STVR Units within the community of Ouray and the consideration of private property ownership rights was also discussed at length and of primary importance.

The scope of our advisory board's work, as it relates to STVR regulation, was to encourage the City of Ouray to adopt an ordinance that helps effectively regulate this rapidly emerging sector of Ouray's economy while building off knowledge of what has worked for similar communities and which

makes logical sense in regards to our unique circumstance and currently existing municipal codes. We have provided such an ordinance for your consideration and are confident the ordinance covers all relevant points of possible concern.

In regards to easing the city's burden of code regulation, the STVR advisory board collectively agrees that a Code Enforcement Officer position be created and partially funded by the charging of STVR Application and Renewal fees. Currently, there are an estimated 120 plus STRs in the City of Ouray. If these owner's were required to obtain a STVR permit and the proposed charged annual application/renewal fees ranging from \$250 to \$400 were levied, an estimated \$30,000 to \$48,000 dollars annually could be collected to help fund a Code Enforcement officer position, whose partial duties would be to enforce the STVR ordinances within the City of Ouray.

It was noted by our committee that numerous issues within the City of Ouray municipal codes must be addressed by Planning and Zoning and the City of Ouray as soon as possible. These concerns, listed below, directly relate to the city's ability to establish and effectively enforce this STVR Ordinance and to ensure it be followed by property owners operating these types of businesses. The STVR committee believes some definitions are ambiguous and/or conflicting and recommend the following be addressed by Planning and Zoning and the City of Ouray prior to moving forward.

To wit, Planning and Zoning must clearly and legally define and if appropriate, establish municipal codes for:

1. Bed and Breakfasts, Hostels, Hotels, Motels, RVs spaces, cabins, Lodges and STVR units. As it relates to STVR, verbiage within the municipal code needs to reflect that STVR Units are for one renter or one related party, per dwelling, only. Simply put, a residential home may not be used as a hotel or hostel with multiple unrelated parties renting separate rooms in one residence.
2. On street and off-street parking as it relates to all lodging types. In particular, Planning and Zoning should pay special attention to the lack of parking requirements for lodging establishments located within the R2 zone.
3. Conditional Uses and Uses by Right definitions, especially as they relate to STVR establishments in the C1, C2 and R2 zoning districts.
4. Information a STVR occupant (renter) is legally required to provide STVR property owner or property manager in order to rent said property.

The STVR Advisory board will be available to all members of the Planning and Zoning board via phone, email or at your monthly meetings, if requested, to provide clarification of language in the proposed ordinance or address any concerns your board may have.

Respectfully,

The Appointed Short Term Vacation Rental Committee

Erin Eddy: Chair

Craig Hinkson: Vice Chair

Thomas Elliston

Sharon Wild

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(VERSION 1.31.18 - Final)

DRAFT SUGGESTED ORDINANCE TO THE OURAY PLANNING COMMISSION

**PREPARED BY THE OURAY SHORT TERM VACATION RENTAL COMMITTEES REVIEW AND
REDLINING OF THE TOWN OF SILVERTON'S VACATION RENTAL ORDINANCE NO. 2017-09**

**AN ORDINANCE CLARIFYING AND RE-ESTABLISHING MUNICIPAL REGULATIONS CONCERNING
THE USE OF RESIDENTIAL PROPERTY AS VACATION RENTALS WITHIN THE RESIDENTIAL (R2)
ZONE, FOR THE PURPOSE OF PRESERVING THE INTENDED NATURE OF RESIDENTIAL ZONE
PROTECTIONS AND CLARIFYING THE CONDITIONAL USE OF SHORT TERM RENTALS WITHIN THE
R2 ZONE. (WE WOULD SUGGEST OTHER LANGUAGE ADDRESSING USES BY RIGHT WITHIN THE
C1 ZONE AND C2 ZONE).**

WHEREAS, pursuant to the authority conferred via C.R.S. 31-23-301, the City of Ouray through the City of Ouray's planning commission and City Council is empowered to regulate and restrict the use of buildings, structures and land for use as residential or other purposes within its statutory jurisdiction, so long as such restraints are determined necessary to promote the general health, safety and welfare of the community; and

WHEREAS, through such authority, the City of Ouray has held that the use of residential property as Vacation Rentals for compensation on a short-term basis, less than (30) consecutive days, may be permitted within certain zone districts only after prior review has been granted through an established "Use Subject to Review" administrative process; and

WHEREAS, The City of Ouray has adopted regulations related to the occupancy and type of construction for residential zones per Municipal Code; and

WHEREAS, the City of Ouray has adopted regulations regarding the use of residential properties as Vacation Rentals within the residential R2 zone and other C1 and C2 zones per Municipal Code; and

WHEREAS, the City of Ouray witnessed increased interest in Vacation Rentals by property owners and recognizing the need for regulation;

WHEREAS, property owners within residential zones have requested City of Ouray staff to assist in finding workable solutions to problems that are occurring with the utilization and management of residential properties utilized as Vacation Rentals; and

WHEREAS, residential zoning districts, **(Kick this to Planning and Zoning for Discussion)**

WHEREAS, there is acknowledgement that there is a need for vacation rentals within the community; and

WHEREAS, there is an acknowledgement that there are zones within the community that may adequately accommodate vacation rentals; and

WHEREAS, the Ouray Planning Commission and Ouray City Council deems it is in the best interest of the City of Ouray to regulate Vacation Rentals.

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

USES SUBJECT TO REVIEW

Vacation Rental Permits

1. Purpose: The purpose is to preserve the character and ambience of Ouray neighborhoods; to allow Vacation Rentals as short-term visitor accommodations within the C1, C2 and R2 districts while mitigating the impacts attributable to Vacation Rentals and their associated increase in intensity of their use; and to ensure compatibility with the surrounding land uses. These provisions are intended to address concerns regarding the use of Vacation Rentals on a short-term basis.
2. Definition: "Vacation Rental" is defined as a residential dwelling, including either a single-family home or multi-family unit, assessed and taxed as a residential dwelling unit, and rented for the purpose of transient lodging or transient living accommodations for a maximum stay less than (30) consecutive days to the same renter in the same unit. Hotels, motels, lodges, inns, bed and breakfasts, RV spaces and campsites are not Vacation Rentals. **(Planning commission needs to select verbiage and clarify that Vacation Rentals are for one renter or one related party only per dwelling (NOT per room) – in other words "someone's house is not to be used as a hotel with multiple unrelated parties renting separate rooms in one residence".)**
3. Planning and Zoning. New and existing Vacation Rentals shall comply with the following requirements and restrictions:
 - a. Property owners in the C1, C2 and R2 districts of the City of Ouray are required to obtain a permit to operate a Vacation Rental within the City of Ouray.
 - b. Life safety requirements associated with the attached document related to life safety.

- c. Appearance: Vacation Rentals shall not drastically change the residential character of the outside of a dwelling unit with its utilization as a Vacation Rental.
 - d. The following are non-exhaustive illustrations of changes in residential character that are not allowed; advertising signage, lighting, etc.; the emission of noise, glare, flashing lights, vibrations or odors not commonly experienced in the underlying zoning district. Any additional exterior lighting shall be “zero cut-off” night sky preserving lighting and be approved by the City of Ouray prior to installation to ensure that it does not create undue illumination on adjacent residential properties.
 - e. Parking: Parking shall not block fire hydrants, alleyways, or through traffic lanes and vehicle parking or relocation regulations. The availability of guest parking, onsite and on-street (Fronting the home) shall be evaluated and considered in calculating the allowable capacity of the Vacation Rental so as to not unduly limit adjacent resident parking, impede traffic, cause a safety hazard (traffic and pedestrian) or is in violation of City traffic laws, snow removal regulations or any other City Municipal Codes. **(Planning and Zoning Needs to Clarify and Establish Effective Parking Regulations).**
 - f. Signage: Vacation rentals are allowed signage that does not exceed a total of 4 square feet in size. The sign shall identify the home’s common name (*wording commonly utilized in promoting the Vacation Rental*) in a way similar to other residential properties that are not vacation rentals. An example of this would be “Randall’s Rest”, that is a person’s last name and one or two descriptive words to follow. Any commercial identification wordings, such as “Vacation” or “Rental” are not allowed. A residential appearance is encouraged with decorative elements that are compatible with the architecture of the home. The Planning Director shall approve the proposed signage as a component of his/her reviews for new and renewing Vacation Rentals. Vacation Rentals shall not have advertising signage other than the aforementioned allowed and the City required proper street addressing numbers. No signage is allowed to identify and/or reserve vacation rental tenant or guest parking within the public right-of-way (limited signage, preapproved by the Planner is allowed to identify onsite parking and driveways).
4. Application Requirements: All new Vacation Rentals require the submittal of an application and attachments that contain, but are not limited to, the following information:

- a. Utilize the application form provided by the City of Ouray, fill out all the required information, and list attachments for a fully complete application form and submission.
- b. PROJECT DESCRIPTION: THE APPLICANT (WITH THEIR APPLICATION) SHALL PROVIDE TO THE CITY OF OURAY THE FOLLOWING INFORMATION:
 - I. PROPERTY ADDRESS
 - II. LEGAL DESCRIPTION OF THE PROPERTY
 - III. DWELLING TYPE (SINGLE FAMILY, DUPLEX, ETC.)
 - IV. CURRENT NUMBER OF BEDROOMS
 - V. CURRENT NUMBER OF BATHS
 - VI. CURRENT NUMBER OF ADDITIONAL ROOMS
 - VII. INTENDED PROPERTY USE
 - VIII. NAME OF ANY AND ALL PROPERTY MANAGERS OR MANAGEMENT COMPANIES
 - IX. PROPOSED VACATION RENTAL NAME / SIGNAGE
 - X. PROPOSED PARKING AREAS
 - XI. VICINITY MAP OR AERIAL PHOTO
 - XII. SITE PLAN
 - XIII. DIMENSIONAL FLOOR PLAN
 - XIV. LEGAL PROOF OF OWNERSHIP
 - XV. PROOF OF CURRENT LIABILITY INSURANCE
 - XVI. PROPERTIES SQUARE FOOTAGE
 - XVII. SALES TAX LICENSE NUMBER
 - XVIII. MAX NUMBER OF GUESTS OCCUPYING THE PROPERTY AT ONE TIME
 - XIX. HOA DOCUMENTS (IF APPLICABLE)
 - XX. PROPOSED GUEST REGISTRATION LOG BOOK
 - XXI. PROPOSED ON SITE GUEST INSTRUCTIONAL MANUAL
- c. Required mapping (with required graphic bar scale):
 - i. Vicinity map or aerial photo (google earth or similar) that clearly identifies the property within the context of the community, local neighborhood blocks, lots, streets (identified) and alleys.
 - ii. Provide a site plan of the property clearly indicating the existing building, garage, shed(s), decks, walkways, trash bin, propane tank, snow storage areas, onsite parking space(s), and other relevant site features and any proposed improvements within the property boundaries.

- iii. A dimensional sketch indicating the availability of guest parking, both on street and onsite parking, provided for evaluation of tenant capacity.
 - iv. A dimensional sketch of the home's existing floor plans(s) that includes all habitable areas of the home, including but not limited to; the number of bedrooms, baths, and other rooms and their use names.
 - v. An additional dimensional sketch of the home's floor plan(s) if any changes are proposed in the use of all habitable areas of the home, including but not limited to; the number of bedrooms, baths, kitchen and other rooms and their use names, and any modifications or additions that are proposed to the home.
- d. Proof of ownership per a legally recorded document.
 - e. Proof of the ability to obtain and maintain property and liability insurance to cover the operation of the Vacation Rental.
 - f. Management structure: listing individual(s), owner, manager, management firm, local contact, back-up contact; and all management requirements to be in full compliance with the provisions of this ordinance.
5. Owner Restrictions and Requirements. Owners of Vacation Rentals shall comply with the following:
- a. Permits and Licenses: Owners of Vacation Rentals shall be required to obtain a Vacation Rental Permit, sales tax license and pay the City of Ouray Lodging and Occupancy Tax. The required permit and licenses shall be obtained prior to beginning operation of a new Vacation Rental or continuing the use of an existing Vacation Rental.
 - b. Fees: Use Subject to Review Vacation Rental Permit Application Fee and Annual Renewal Permit Fees will be established by resolution by the Ouray City Council.
 - c. Transferability: All Vacation Rental Permits shall be granted solely to the property owner for the residential dwelling unit at the address shown on the application. Vacation Rental Permits are not transferable to any other person or legal entity and they shall be terminated upon the sale or change in the ownership of the property.
 - d. Inspections: Vacation Rentals are subject to safety, code and health inspections and shall be in compliance with all applicable building, fire and zoning codes. Receipt of a Vacation Rental permit constitutes permission by the Property Owners to allow inspection for compliance with said codes.

- e. Insurance: Owners of Vacation Rentals shall obtain and maintain the appropriate type of property and liability insurance to cover the operation of the Vacation Rental. Proof of being able to obtain property and liability insurance shall be submitted as part of the Use Subject to Review Vacation Rental application. Proof of property and liability insurance coverage that includes specific coverage for use as a Vacation Rental is required prior to a new operation and for renewal of a Vacation Rental Permit.
- f. Safety: All Vacation Rentals shall have a easily identified street address per code on the Short Term Vacation Rental, smoke and carbon monoxide detectors. A minimum of one (1) fire extinguisher, type ABC, which is operational, including full charge in good working order and mounted in a readily accessible location with each Vacation Rental. The fire extinguisher(s) location(s) shall be shown and described in the posted guest information and supplemented with a floor plan, which shall be combined with a required emergency exiting plan. All windows noted for emergency egress and rescue shall be operational. All heating appliances shall be properly installed and combustion gases vented per code. All electrical outlets and fixtures shall be properly installed and functioning per code.
- g. Registration: Guest registration is required for all Vacation Rentals. The registry shall include all tenancies for that licensed year to date and updated with each tenancy. The registration shall include the name and address of the renter, the number of occupants, and the dates of tenancy. The guest registration shall be kept in the possession of the property manager and/or property owner and shall be made available for inspection and delivery to the City of Ouray when requested. **(Kick to Planning and Zoning what information the guest/occupant is required to provide the owner or property manager in the registration book.)**
- h. Management Enforcement: It is the responsibility of the Owner and/or manager(s) to self-regulate infractions and violations of this ordinance and other City of Ouray Codes and Laws performed by or caused by the actions of the tenant(s) of the Vacation Rental. Examples of this would be parking that blocks the public right-of-way, trash storage violations, excessive noise, or other infractions that cause the response or ticketing from law enforcement or a substantiated complaint to be called into City of Ouray officials and confirmed. Owners and/or managers are encouraged to keep a written record of any actual City of Ouray Code or Law violations by their renters. Owners and/or property managers may also consider documenting what affirmative steps they may have taken to resolve any renter issues that may have violated City code. These records may be requested by the City of Ouray if necessary to be placed on file as a positive indication of proper management of the Vacation Rental.

- i. City Enforcement: In the absence of self-regulation of tenancy by “Management”, City of Ouray officials will collect documentation on infractions and violations of the municipal code, Law Enforcement reports, as well as substantiated citizen complaints and this documentation shall be placed in the Vacation Rental’s permanent file. At permit renewal, the Land Use Department will review the vacation rental’s file and determine if further corrective actions are to be taken or possible termination of the vacation rental permit will be recommended. If modification of the permit is not accepted by the applicant, the review will be forwarded to the Planning Commission for a public meeting to hear the applicant’s testimony as well as citizen testimony. The Planning Commission’s recommendations will be accepted by the Land Use Department who will implement a final administrative review in writing. If the applicant does not agree to the terms and conditions imposed, the applicant may appeal the decision to the Ouray City Council following the standard appeals procedures.
- j. Annual Permit Renewal: Vacation Rental Permits are valid for one year from the date the permit is approved. Application for a Vacation Rental Permit shall be submitted each year in accordance with the application requirements. The City of Ouray, may administratively approve, modify, amend or deny renewal permits as required by documented violations and complaints. Applicant may appeal the administrative decision to the Planning Commission where public testimony and applicant testimony is to be heard. The City of Ouray will incorporate Planning Commissions’ Recommendation for the Final Administrative Review and requirements. All administrative decisions may be appealed to the Ouray City Council following the standard process.
- k. Local Contact: Each Vacation Rental shall have a designated local contact person(s). The local contact may be an owner or property management/real estate company, rental agent or other person engaged or employed by the owner to rent, manage or supervise the Vacation Rental. A property owner may designate themselves as the local contact person if the owner meets the criteria of this Section. The local contact must reside within a forty-five (45) minute drive of the rental property and be available twenty-four (24) hours a day during tenancies for timely response to guest and neighborhood questions and concerns. An alternate Local Contact may be designated, and available, and meet the criteria of this Section when the primary is not available. All local contacts shall list their name and telephone/cell number and shall be posted in a

prominent location within the Vacation Rental and the contact information also shall be provided to the City of Ouray. Any change to the local contact(s) name, address or telephone/cell number shall be promptly submitted to the City of Ouray.

- l. Violations: It is unlawful for any person to use or allow the use of property in violation of the provisions of this Section. Failure to be in complete compliance with this Section shall be grounds for suspension or revocation of the Vacation Rental Permit. Violations shall be accepted and noted in writing by the receiving City of Ouray officer, upon which the violation shall be documented with verification of a violation. Documentation shall include, but not be limited to, copies of citizen complaints, reprimands, fines or other actions; copies of citations, written warnings, reports or other filed documentation by law enforcement.
 - m. Termination: Vacation Rental Permits may be terminated at the discretion of the Planning Director for any of the following actions: 1) Failure to commence operation of a Vacation Rental within one (1) year of approval (without requesting an extension); 2) Failure to obtain all necessary licenses prior to operating a Vacation Rental; 3) Failure to pay all applicable taxes, including but not limited to, sales tax, permit fees and Lodging and Occupation Taxes (LOT); 4) Failure to comply with the terms and conditions of the Vacation Rental Permit; 5) Failure to obtain an Annual Renewal Permit; 6) Failure to operate a Vacation Rental for a period of one (1) year (without a request for an extension); 7) Failure to carry the appropriate property and liability insurance; 8) Failure to provide Local Contact(s), updated Contact(s) information per provisions of the ordinance; 9) and/or failure to have or pass the annual required inspection.
 - n. Appeal Process: Hearings and appeals shall be made in accordance with the City of Ouray Municipal Code.
6. Standards: Vacation Rentals shall comply with the following standards:
- a. Occupancy: Maximum occupancy shall not exceed two (2) persons per bedroom, plus two (2) additional guests overall. The Short Term Vacation Rental must also comply with the City of Ouray's parking regulations. The City of Ouray may impose a lesser maximum occupancy based upon the following considerations: location, size, building/fire code requirements, and/or other site-specific neighborhood considerations.

- b. Guest Information: Each Vacation Rental shall include a Guest Information Binder, which may include things such as, but not limited to; Local Contact(s) information, procedures for use of appliances, safety and exiting, fire extinguisher location(s), emergency services, designated parking, trailer parking information and mapping, and all other relevant information for the safe and legal occupancy of the rental unit. The binder may also contain other owner/manager requirements for use such as internet access, condition at end of tenancy, comments, etc.
 - c. Required Posting of Local Contact(s) information: Short Term Vacation Rental address, emergency number(s), trash storage, guest parking limitations – posting shall be provided in text and mapping as required. The required information and public law notices shall be posted in a prominent location and also contained in a guest information binder within each Vacation Rental.
7. APPLICATION PROCEDURE: Only a complete Vacation Rental application will be accepted and reviewed by the City of Ouray. The City of Ouray within 21 days of the applicants' submittal of the Vacation Rental application will render a determination of compliance with the ordinance's intent. The City of Ouray will conduct an Administrative review and make a determination to accept, reject the application or impose conditional requirements. If conditions or rejection of the application by the City of Ouray is not accepted by the applicant, it will be forwarded on for further consideration and review by the Planning Commission, which may impose additional conditions, as well as conduct further evaluation and investigation of the appropriateness of the
8. Short Term Rental Units: The Vacation Rental Permit application shall be heard at the next available hearing of the Planning Commission for which proper notice may be made. This public meeting will provide the applicant an opportunity to voice concerns as well as those of the public. The Planning Commission shall then make a recommendation to approve the conditions, modify or reject the application. The Planning Director will accept the recommendation of the Planning Commission to approve, modify or reject the Vacation Rental Permit application. The Planner will modify requirements for "Administrative Review" and approval and include the finalized requirements in the Vacation Rental Permit. If rejected, the applicant may appeal the Planning Commission's decision to the Ouray City Council.
9. Appeal Process. Hearings and appeals shall be made in accordance with the City of Ouray Municipal Code.

PLANNING AND ZONING PLEASE REVIEW AND COMPARE SILVERTON ORDINANCE PAGE 12 OF 13 DEFINITIONS OF BED AND BREAKFAST, HOTEL/MOTEL/LODGE/INNS AND VACATION RENTAL TO CURRENT CITY OF OURAY LAND USE CODE DEFINITIONS.

PLANNING AND ZONING PLEASE REVIEW CONDITIONAL USES AND USES BY RIGHT DEFINITIONS IN C1, C2 R1 AND R2

PLANNING AND ZONING PLEASE REVIEW CITY OF OURAY C1, C2 and R2 PARKING CODES

Committee developed application form - City staff will create new application form(s) for Council review if the Ordinance moves forward.

City of Ouray Short Term Vacation Rental Permit

Application Fee: \$150

Annual Renewal Permit Cost: \$100 - \$250

New Permit Cost: \$600

Property Owner Information:

Property owner(s) name(s): _____

Owners Phone Number: _____ Email: _____

Owners Mailing Address: _____

Sales Tax Number: _____

Property Address: _____

Property Legal Description: _____

Property Management Information (If applicable.):

Company Name: _____

Representative Name(s): _____

Address: _____

Phone: _____ Email: _____

Sales Tax Number: _____

Property Contact Information (If other than owner or property management representative.):

(Please include the names and address of your local representative(s) to be contacted in the event of emergency, etc. See ordinance for requirements.)

Contact Name(s): _____

Address: _____

Phone: _____ Email: _____

Please use and additional sheet for multiple contacts.

All information below must be filled out in its entirety or your application may be returned as incomplete. If your Vacation Rental application is returned for missing or incomplete information the applicant has 14 days to resubmit the application to the City of Ouray. A \$150 additional review fee will be charged by the City of Ouray for the re-submittal of the Vacation Rental permit.

The City of Ouray will notify you within 21 days if your new Vacation Rental permit or renewal Vacation Rental permit has been approved.

Vacation Rental Requirements and Questionnaire

(Please acknowledge the statements below by placing your initials in line provided.)

Initials

_____ I am the legal owner or designated property management representative of the proposed vacation rental.

_____ As the property owner or property manager, I confirm that a designated person or I will address, in a timely and effective manner, any impacts to the neighborhood, caused by the vacation rental, including offensive noise, parking, life safety matters, etc.

_____ As the property owner or property manager I confirm that a designated person or I will comply with the City of Ouray's trash management ordinance.

_____ As the property owner or property manager I confirm that a designated person or I will have bear proof trash cans available and on site.

_____ As the property owner or property manager I confirm that the proposed vacation rental meets all parking requirements, City of Ouray required ordinances and land use codes, and land legal access is available.

_____ If the proposed short-term vacation rental is part of a HOA, notification has been made to the HOA and the proposed usage meets the covenants, conditions and restrictions (CC&Rs) of the HOA.

_____ Site Plan is attached.

_____ Guest registration log book available upon request.

_____ Property address is clearly visible from the street.

_____ Fire extinguisher properly installed, charged and on-site.

_____ Guest Manual available on site including required, property information, life safety information, ingress/egress escape route map, owner/property manager contact information, emergency contact numbers, etc.

_____ I hereby agree to and attest that I will pay all City of Ouray Lodging and Occupancy (LOT) taxes on a monthly basis when due to the City of Ouray.

_____ I hereby agree to and attest that I will pay all required State Sales Taxes on a monthly basis when due to the State of Colorado.

Please be aware that failure to pay City of Ouray LOT taxes or failure to pay State Sales Taxes when due may be grounds for revocation of the Vacation Rental Permit by the City of Ouray and subject to current penalties in place.

Occupancy and Parking:

Square footage of property being used as a vacation rental: _____

Max. number of guests anticipated to occupy vacation rental: _____

(Note: A single dwelling can only have one rental party occupying the property at any given time.)

Number of off-site parking spaces available: _____

The City of Ouray recommends the following guidelines for determining the maximum occupancy of a Vacation Rental:

- a. Occupancy – Maximum occupancy shall not exceed two (2) persons per bedroom, plus two (2) additional guests overall. The Short Term Vacation Rental must also comply with the City of Ouray’s parking regulations. The City of Ouray may impose a lesser maximum occupancy based upon the following considerations: location, size, building/fire code requirements, and/or other site-specific neighborhood considerations.

I certify that I am the property owner or the property manager, authorized to submit this application on behalf of the property owner, am hereby making application for approval of the above request. I hereby certify that I have read this application completely and that all information provided is correct to the best of my knowledge. All laws, regulations and ordinances governing the scope and use contemplated by this application will be complied with, whether or not specifically described within this application. I understand that providing false or misleading information may result in any permit issued being revoked. The granting of a permit does not presume or give authority to violate or cancel the provisions of any other state or local law regulating the scope of the use contemplated by this application. I understand that this application may be open for public inspection as required by Colorado Open Records Law (C.R.S. 24-72-202, et seq.) and that my personal information contained on this application may be available to the public for review.

Signature by Owner(s) or Property Manager

Date

Signature by Owner(s) or Property Manager

Date

Staff Permit Application Review

Application reviewed by: _____ Date: _____

Application deemed complete for review and processing: Yes No

Information missing or incomplete / application denied: Yes No

Information missing or complete:

All requirements of Ordinance No. BLAH met: Yes No

Application Approved: _____ Application Denied: _____

Vacation Rental Permit Number: _____

Date(s) Vacation Rental Permit Valid: _____

Staff Comments:

[illegible]

7-2 Definitions

Lodging Business means a lodging unit, ~~or~~ hotel, motel, lodge, inn, bed breakfast, hostel or condominium-hotel, or other building or group of buildings, including on and off site lodging units, containing lodging units that are used for temporary occupancy for sleeping purposes, ~~that are~~ rented on a short-term basis of less than thirty (30) days, and excludes short-term rental as defined herein. ~~the short-term rental of single family, duplex, or multi-family dwellings that meet the Short-term Rental Regulations in Section 7-5-J-10.~~

Short-term Rentals means any rental or lease of a single-family, duplex, or multi-family property, lodging unit, dwelling unit, or part thereof, for less than thirty days. Short-Term Rentals are subject to the Lodging and Occupation Tax imposed by the City in Chapter 3 of the Municipal Code, and, Short-term rental of single family, duplex, or multi-family dwellings, or portions thereof, shall meet the Short-term Rental Regulations in Section 7-5-J-10.

New Ouray Land Use Code Section 7-5-J-10 Short-term Rental Regulations

10. Short-term Rental Regulations

- a. **Purpose.** The Short-term Rental Regulations are intended to protect the public health, safety, and welfare; preserve the character and ambience of neighborhoods within the City; prevent adverse impacts attributable to short-term rentals; and to ensure compatibility with surrounding land uses.
- b. **Applicability.** The Short-term Rental Regulations are applicable to the short-term rental of any single-family, duplex, or multi-family dwelling located in the R-2, C-1, and C-2 Zone Districts.
 - i. Short-term rental of dwelling units in the R-1 Zone District are prohibited.
 - ii. Short-term rental of accessory dwelling units is prohibited.
 - iii. Lodging businesses are not subject to these regulations.
 - iv. The short-term rental or property shall be subject to the City of Ouray Lodging and Occupation Tax.
 - v. These regulations shall not apply to condominium-hotels that may be operated as a lodging business provided the condominium is created in accordance with the requirements of the OLUC.
- c. **Registration and Licensing.** A separate short-term rental license is required for each short-term rental.
 - i. Applicants for a short-term rental license, or renewal of a license, shall submit a short-term rental application and other City required application materials along with the application fee as set by the City in a fee resolution.
 - ii. The applicant/licensee shall reimburse the City for all out-of-pocket costs incurred during review of the application or license by outside consultants, including but not limited to legal fees and engineering fees. The City shall bill the applicant/licensee upon completion of the application or review process and completion of any conditions thereof. No application or license shall be finally approved until the bill is paid.
 - iii. Community Development staff will review and act on short-term rental licenses.
 - iv. As a condition of the issuance of an initial license, the City shall conduct a site inspection to ensure the standards set forth in this Section will be met, including

but not limited to parking, carbon monoxide detectors, smoke detectors, street addressing, and lighting.

- a) License renewals shall not require an additional inspection unless Community Development staff determine a new inspection is required due to changes since the last application, past complaints, or other issues that arise from the license review.
 - v. A short-term rental license shall be granted solely to the owner of record of the property for which the license is issued and shall not be transferable to any other person.
 - a) The short-term rental license may list a responsible party to ensure the requirements of this Section are met; however, the property owner shall remain responsible for compliance.
 - vi. The Community Development Department may impose reasonable license conditions to ensure the requirements of this Section will be met.
 - vii. Short-term rental licenses shall be issued for a period of two (2) years and subject to biannual renewal.
 - viii. All existing short-term rentals shall apply for a short-term rental license within three (3) months of the effective date of this ordinance. Thereafter, short-term rentals without a license shall be considered illegal and the City may pursue enforcement action.
- d. **Short-term Rental Cap.** The number of short-term rental licenses in the City of Ouray shall be limited to 139 dwelling units at any one time.
- i. Short-term rentals that are included in the City Monthly Lodging and Occupancy Tax Report as of October 1, 2018 (“**Current Short-term Rentals**”) shall be given priority for issuance of a short-term rental license prior to the issuance of any new license by the City.
 - a) Current Short-term Rentals shall submit an application for a short-term rental license by March 29, 2019; if such an application is not submitted by such date, the Current Short-term Rental shall lose its priority status and be treated as any other eligible property in the City.
 - b) Current Short-term Rentals that submit an application for a property that does not meet the requirements of the Short-term Rental Regulations shall be denied the issuance of a short-term rental license.
 - ii. Only complete applications will be considered, with licenses issued by the City on first complete application - first considered basis, with Current Short-term Rentals given priority for issuance of a short-term rental license within the cap and application deadlines established by this section.
- e. **Standards.**
- i. A short-term rental shall not change the residential character of the property, either by use of colors, materials, lighting, advertising, excessive site improvements, or other actions that change the residential character.
 - ii. A short-term rental shall not cause a public nuisance through adverse impacts such as lighting, parking, signage, noise, glare, vibrations, or odors.
 - iii. Signs are prohibited for short-term rental. .
 - a) Short-term rentals that currently have a sign shall remove all signage as a part of obtaining a license.

- iv. All short-term rentals shall clearly post the correct address in accordance with City addressing and street numbering requirements.
- v. The maximum number of persons per short-term rental shall be two (2) per bedroom, plus two additional persons provided a sofa bed, Murphy bed, or similar temporary bed is provided in the short-term rental.
- vi. In addition to Ouray Municipal Code Section 10-2-Y, short-term rentals shall be subject to quiet hours between 11:00 PM and 7:00 AM.
- vii. One parking space per two (2) bedrooms shall be provided.
 - a) All parking for the short-term rental shall be provided on site, or on-street fronting the short-term rental where on-street parking is allowed by the City.
 - b) The on-street parking shall not be reserved for the short-term rental and will be available to the general public on a first come, first served basis.
 - c) No parking shall occur on sidewalks, lawns, or other landscaped improvements.
 - d) Trailer parking on City streets shall comply with the Ouray Municipal Code.
 - e) Parking shall be constructed and provided on-site if physically possible based on standard engineering practices.
- viii. The short-term rental license shall designate a responsible party who is located within a forty-five (45) minute drive of the City and available for immediate response to issues or emergencies that arise from the short-term rental.
- ix. A short-term rental shall only be leased or rented out to one party that occupies the entire dwelling. Individual rooms within a single-family dwelling short-term rental shall not be rented out separately unless the dwelling unit has a separate, attached, or detached dwelling unit that complies with the applicable Municipal Code requirements (Building Code, OLUC, etc.).
 - a) Multi-family buildings may have more than one short-term rental provided a license is obtained for each dwelling unit and no more than twenty percent (20%) of the units are short-term rentals. Condominium-hotels shall be exempt from this limitation.
- x. The owner or responsible party shall collect and pay all applicable local, state, and federal taxes, including the City's Lodging and Occupancy Tax.
- xi. The short-term rental shall meet all applicable local, state, and federal regulations, such as the Colorado requirement for carbon monoxide detectors (CRS 38-45-101 et seq.), the Building Code requirement for smoke detectors, and life-safety Building Code requirements, such as egress from sleeping areas.
- xii. One (1) fire extinguisher shall be kept and maintained within the short-term rental kitchen area.
- xiii. The short-term rental property shall be kept free from litter and junk as required by Ouray Municipal Code Section 10-2-Z.
- xiv. Trash or recycling shall not be stored in a location that is visible from the public street or sidewalk. The short-term rental shall comply with Ouray Municipal Code Section 12-1, with arrangements for proper disposal of garbage, refuse and trash collection.
 - a) Short-term rentals shall be charged the residential rate to manage trash. The City may require a short-term rental property to provide for two or

more residential trash services at the same address to manage trash (paying for two residences), or to provide for a commercial trash pickup of trash if residential service and pickup cannot manage trash in accordance with the Municipal Code and these regulations.

- b) Trash shall be properly managed and not visible or overflowing so as to cause a nuisance.
 - c) Animal resistant trash containers shall be provided as required by the Ouray Municipal Code.
- xv. Short-term rentals shall replace any exterior open light fixtures with dark sky compliant lighting.
- xvi. The following information shall be posted in readily visible location within the short-term rental:
 - a) The Short-term Rental License issued by the City;
 - b) Contact information for the owner and, or, responsible party;
 - c) Maximum number of guests;
 - d) Location of fire extinguishers;
 - e) Quiet hours of 11 PM to 7AM;
 - f) Trash disposal information;
 - g) Other information???
- xvii. All online or published advertising for the short-term rental shall display the City of Ouray Short-term Rental License number.
- f. **Violations, Revocation and Penalties.**
 - i. The Community Development Coordinator, or other such authorized person as designated by the City Administrator, may revoke or suspend a short-term rental license for a violation of the Short-term Rental Regulations or a violation of the Ouray Municipal Code.
 - ii. The administration and enforcement of the Short-term Rental Regulations shall be as provided for in OLC Section 7-3-A.
 - iii. In addition to the foregoing serious or repeat violations of the Short-term Rental Regulations may warrant administrative revocation of a short-term rental license for a period of up to two (2) years.
- g. **Appeals.**
 - i. Appeals of administrative decisions under this Section shall be made pursuant to OLC Section 7-5-H.

	A	B	C	D	E	F	G	H	I	J
1	2019 SHORT-TERM RENTALS FROM TAX REPORT									
2										
3	Property Name	Address	UNITS	TYPE	Owner	Manager	R1 Zone 1992 GF	R2 Zone	C1 Zone	C2 Zone
4	1889 Victorian Miners	301 2nd St.	1	HTC	Mark & April Orgren	April Orgren		1		
5	1983 Lodge	1983 Main St	1	HTC	Roxanne Kirschler	Roxanne Kirschler				1
6	1971 Lodge	1971 Main St	1	HTC		Jill Schoenebaum				1
7										
8	A Getaway In Ouray LLC	445 Main Street	1		Travis & Paige Sackman				1	
9	Alpenglow Condo	215 5th Avenue	1	HTC	Jennifer Greenholt			1		
10	Alpenglow Properties					Ryan Hein				
11		215 5 th Avenue, #6	1	HTC	BCE Inc			1		
12		215 5 th Avenue, #7	1		BCE Inc			1		
13		215 5 th Avenue, #8	1		Fountainhead Properties			1		
14		215 5th Avenue, #9	1		Fountainhead Properties			1		
15		215 5th Avenue #15	1		Fountainhead Properties			1		
16		215 5th Avenue #16	1		Fountainhead Properties			1		
17		215 5th Avenue #18	1		Fountainhead Properties			1		
18		104 8th Avenue	1		Jeromy Taylor			1		
19		804 2nd Street	1		Robert Kaukol			1		
20		102 8th Avenue	1		Prospect & Hafer			1		
21	Alpine House	200 6th Avenue	1	HTC	Larry & Alice Leeper	Alice Leeper		1		
22	Bailey, Billy & Carole	107 Fedel Court	1	HTC	Carole Bailey			1		
23	Billy Goat on Main	400 Main Street	5	HTC	John & Marcy Wood	Marcy Wood		5		
24	Brodbeck, Lance & Sandra	812 2nd Street	1	HTC	Lance & Sandra Brodbeck	Sandra Brodbeck		1		
25	Cartier Victorian House	757 4 th Street	1	HTC	John Cartier	Leo Lloyd	1			
26	Casa de Springs	210 9th Ave	1	HTC	Marta Gradowski			1		
27	Cascade Luxury Condos	949 Main St	1	HTC	Barbara Hoekendorf	Rhonda Follman			1	
28		958 Main St	1		Tim & Lezah Saunders				1	
29		1586 Oak St	1		Sandra Myers			1		
30	Cozy Cabin	124 Fedel Court	1	HTC	Joe & Christine Kersen	Christine Kersen		1		
31	Haggar Penthouse	535B Main St	1	HTC	Nancy Haggar	Nancy Haggar			1	
32	Lane's Victorian House	311 4 th Street	2	HTC	Richard Lane	Richard Lane	2			
33										
34	LaPorte Real Estate Partners	531 N. Pinecrest	1	HTC	LaPorte Real Estate Partners LP	Steve Lankenau	1			
35	MacArthur Apartments	1822 Main St	2	HTC						2
36	Mountain Queen	226 3rd Avenue	1	HTC	Daniel Hughes & Dolgio Nergui	Dolgio Nergui			1	
37	Oak Street Retreat	1538 Oak St	1	HTC	Rosemary Hill	Jamie Walker		1		
38		Ouray, CO 81427								
39	Ouray County Properties	1512 Oak St.	1	HTC	Derek Engdahl	Carl Cockle		1		
40		343 2nd St	1	HTC	Kate Falk			1		
41		745 Main Street	1	HTC	Patricia Caldwell				1	
42	Ouray Hotsprings Condo	960 Main St	2	HTC	Gary Keffer	Gary Keffer			2	
43	Ouray Manor	317 2nd Street	6	HTC	Amber Cunningham	Amber Cunningham		6		
44		1919 Main Street	1	HTC	Janet McKay					1
45		708 Main St, #6	1	HTC	Lynne McGrew				1	

	A	B	C	D	E	F	G	H	I	J
1	2019 SHORT-TERM RENTALS FROM TAX REPORT									
2										
3	Property Name	Address	UNITS	TYPE	Owner	Manager	R1 Zone 1992 GF	R2 Zone	C1 Zone	C2 Zone
46	Ouray Premier					Brad Fuhrman				
47	Vacation Rentals 0	96 4th Ave, Unit 1	1	HTC	Steven & Ruth Wood			1		
48	0	103 Fedel Court	1	HTC	Edward & Laura Smith			1		
49	0	115 7th Ave	1	HTC	Rick Hanson			1		
50	0	117 7th Ave	1	HTC	Rick Hanson			1		
51	0	119 7th Ave	1	HTC	Rick Hanson			1		
52	0	148 Loretta Ct	1	HTC	Barbara Woolverton			1		
53	0	169 Fedel Court	1	HTC	Bill Brucker			1		
54	0	209 10th Ave, Unit B2	1	HTC	Beverly Martin			1		
55	0	215 5th Ave, Unit #2	1	HTC	Brent Evans			1		
56	0	215 5th Ave Unit #3	1	HTC	Russell Metzger			1		
57	0	215 5th Ave, Unit #4	1	HTC	David Haugstad			1		
58	0	215 5th Ave, Unit #5	1	HTC	Russell Metzger			1		
59		215 5th Ave, Unit #11	1	HTC	Michael Hicks			1		
60		310 6th Ave	1	HTC	Roger Hirst				1	
61	0	320 8th Ave	1	HTC	Mollie & Nathan Wertman			1		
62	0	329 Main Street	1	HTC	William Colaw				1	
63	0	414 Main Street	1	HTC	Heidi Albritton				1	
64	0	520 2nd St	1	HTC	Chad & Jennifer Leaver			1		
65	0	650 Oak Street	1	HTC	Kathleen Cook		1			
66	0	704 Oak Street	1	HTC	Heather Clark					1
67	0	708 Main St,, Unit 4	1	HTC	Steve & Gayle Brand				1	
68	0	736 Main Street	1	HTC	Mike James				1	
69	0	820 2nd Street	1	HTC	William Holman			1		
70	0	837 Main Street, East	1	HTC	Mark & Cathy Hartman				1	
71	0	837 Main Street, West	1	HTC	Mark & Cathy Hartman				1	
72	0	837 Main St, Gallery	1	HTC	Mark & Cathy Hartman				1	
73	0	952 Main Street	1	HTC	Mike & Joan Gibbs				1	
74	0	961 Main Street	1	HTC	Todd & Marilyn Mayfield				1	
75	0	1239 Park Road	1	HTC	Lincoln Earhart				1	
76	0	1241 Main Street	1	HTC	Rusell Metzger				1	
77	0	1242 Champ Ln	1	HTC	Bill Lewis				1	
78	0	1244 Champ Lane	1	HTC	Wayne Sponcil				1	
79	0	1245 Park Road	1	HTC	Mark Serra				1	
80	0	1251 Main St	1	HTC	David Tollen				1	
81	0	1252 Champ Lane	1	HTC	David McHenry				1	
82	0	1256 Champ Lane	1	HTC	Al Champ				1	
83	0	1342 Oak St	1	HTC	James Clay			1		
84	0	1482 Oak St	1	HTC	Jeff Hopfer			1		
85	0	1490 Oak St	1	HTC	Mary White			1		
86	0	1494 Oak St	1	HTC	Katherine Johnson			1		
87	0	1496 Oak St	1	HTC	Michael & Raven Kantor			1		
88	0	1518A Oak St	1	HTC	Alan Senter & Vicki Lane			1		
89	0	1523 Oak St	1	HTC	Chris Bettin			1		
90		1542 Hinkson Terr	1	HTC	Elias Andrew-Martos			1		

	A	B	C	D	E	F	G	H	I	J
1	2019 SHORT-TERM RENTALS FROM TAX REPORT									
2										
3	Property Name	Address	UNITS	TYPE	Owner	Manager	R1 Zone 1992 GF	R2 Zone	C1 Zone	C2 Zone
91		1570 Oak St	1	HTC	Jens Lange			1		
92	0	1925 Elkhorn Drive	1	HTC	Anthony Disser			1		
93	0	1951 Main Street	1	HTC	Henry Barrett					1
94	Pricco House	941 Main St	1	HTC	Vickie Cramp	Robert & Vickie Cramp		1		
95	San Juan Chalet	115 6 th Avenue	3	?	Ryan Cook	Ryan Cook		3		
96	Silverhsield Chalet	1554 N. Oak Street	1	HTC	Michael Castagliola	Nicole Skoloda		1		
97	Simba Suites	732 Main Street	2	HTC	Bill Leo	Bill Leo			2	
98	Spangler House	520 2nd Street	1	HTC	Chad & Jennifer Leaver	Chad & Jennifer Leaver		1		
99	Tyler, Tom & Linda	736 1/2 4th St	1	HTC	Tom & Linda Tyler	Linda Tyler		1		
100	Vander Ploeg, Hans & Ingrid	180 5th Ave	1	HTC	Hans & Ingrid Vander Ploeg	Ingrid VanderPloeg		1		
101	Wiesbaden Hot Springs Spa				Linda Wright –Minter	Delinda Austin				
102		540 6 th Avenue	1	HTC			1			
103		531 6 th Avenue*	1	HTC				1		
104		539 Main Street	2						2	
105	Wolfe's Grandview	1480 Oak St	1	HTC	Ted & Betty Wolfe	Ted & Betty Wolfe		1		
106		TOTAL	112				6	68	31	7
107			UNITS				R1 Zone 1992 GF	R2 Zone	C1 Zone	C2 Zone
108	NOTE: LIST DOES NOT CONTAIN BED AND BREAKFAST OPERATIONS, INNS, HOTELS, MOTELS AND RV PARKS AS WELL AS STR CABINS WITHIN RV PARKS									
109										
110										

From: [Stone Wood](#)
To: [Pam Larson](#); [Katie Sickles](#); [K. J. Wood Distillers](#)
Subject: Corrected Cap and Trade Proposal
Date: Thursday, October 18, 2018 8:58:21 AM
Attachments: [Corrected Short Term Rental Cap and Trade \(1\).pdf](#)

Please see attached corrected PDF corrected for 1 STR License /Titled Property. I have also included some ideas/tweaks I think are more in-keeping with a STR mindset.

I would appreciate your consideration:

- Strike sec b.v. : condominium-hotel under lodging business. (The Front Desk is under an operating management co, this could be considered operating without a real estate license, legally it is allowed in the State of Colorado but is inherently no different than a Property Management Co. working under a real estate license, this operating management co would be the Responsible Party.) Definition: A condo hotel, also known as a Condotel, hotel-condo or a Contel, is a building, which is legally a condominium but which is operated as a hotel, offering **short term rentals**, and which maintains a Front Desk.

- Suggest adding something to the effect:
Fee resolution will be reviewed on a five (5) year cycle.

- Community Development Staff will review and act on applications within a reasonable amount of time not to exceed a three (3) month time period.

- Sec c.v. should read: not be transferable to any other **location**. not Person

- Suggested clarification to c.vii: STR licenses shall be issued for a period of two (2) years and subject to renewal application at the conclusion of the two (2) year licensing period. (or maybe 3 months prior to the conclusion of the 2 year...)

- Beautification:
Signs for example could be

Signs for STR must be approved by the CCD and be in keeping with the residential character of the property.

- a) No larger than... x" by x" and shall not include phone numbers
- b) Signs cannot be located higher than the first story of the dwelling
- c) Signs shall be flatly adhered to the dwelling and cannot extend more than 1 inch in profile.
- d) Signs must be natural in color or in keeping with the accent color of the dwelling.

e) Signs may be down lighted by a single bulb and shall comply with dark sky compliance. Lighting shall not disturb the peaceful enjoyment of neighboring properties. Lighting may only use direct wiring, the use of extension cords are strictly prohibited.

f) Yard signs, semi-detached, hanging or dangling signs shall not be allowed.

Trash could include:

A natural screening or fencing in-kind of landscape design for the dwelling unit is an acceptable alternative to visible public or sidewalk facing storage but is subject to approval by the CCD.

Bedrooms Occupancy

No more than 4 person occupancy in a bedroom except for 1 temporary crib

No temporary bedding (rollaways or cots) allowed

No bedding furniture, when fully extended may block ingress/egress

No living space may sleep more than 2 people and must have safety, and cannot block, ingress/egress

No more than 4 unrelated persons may reside in the unit at any one time. (Boulder precedence).

Parking:

Sec e.vii. Strike "Fronting", this potentially eliminates certain dwellings from being eligible. Parking on-street is free to all parking uses and making this type of requirement is taking away the Owners use potential. The City can always start a parking permit program for R2 by which you could require a buy-in with STR.

I am happy to meet and discuss and/or attend the next meeting and present.

Sincerely,

Marcy Wood

Property Executive

Stonewood Property Management, LLC

326 6th Avenue, Box 1017

Ouray, CO 81427-1017

<https://www.rentbuffs.com>

Nov 17,2018

Thoughts for City Council on direction CC seems to be encouraging:

I do not think property that has been purchased as C1/C2 should be limited at this stage. My understanding has been that the property I purchased would be used as commercial eventually which included in its use as possible short term rentals . My investment and others is predicated on that assumption. To change direction at this stage is to put an undue burden on current property owners to attempt to move the town in a direction that certain people seem to want the town to follow. I do not think the investment (at least in my case) in commercial real estate can be justified by a long term rental or a combination of LTR and STR nor am I interested in some of the issues acquired when committed to do so. It is also clear to me that a STR allows residents to continue to live here by providing needed income to supplement current job and/or retirement income.

If the city council or whomever is wanting to limit STR then they should first see if the populace of the town is wanting to go in that direction . If the town feels that is important (I personally have not heard an abundance of complaints that we have too many STR) to limit STR then perhaps a bond issue could be floated to pay for properties as they become available for the express purpose of guiding the direction of those properties. This would take the responsibility of financing this changed direction on all those concerned rather than on a few individuals.

It also seems to me that the idea of adding more regulations on and then hiring someone for the express purpose of regulating these regulations is not the direction that should be taken. The code compliance and safety issues can be enforced by our current building department w/o having to add another job to the city payroll.

Lastly it would seem to me that by and large the hotel accommodations and short term non-hotel accommodations fill a difference niche and therefore do not often compete with ea other . I know at least some of the Hotels are full in the summer months so having more STR might benefit Ouray business (in the summer at least) and am not in favor of imposing a two day minimum stay on the owners of STR.

Thanks for your consideration, Barry MacLennan

Notes For STR Work Session

- * The committee's task was to make a recommendation or draft language for an Ordinance concerning STR's, not fix housing issues in the City.
- * Near unanimous agreement that a Cap on STR's would be going to far.
- * Number 1 reason the committee felt an Ordinance was needed was because the City has continually failed to enforce it's Code. It was thought that a Permit/ fee could generate enough revenue to pay a STR oversight person to "Help" STR Owners with compliance issues such as Tax reporting and collecting, complaint management, safety concerns contained in the Ordinance, and conflict avoidance. We did not envision this position being the Building Inspector or Land Use Coordinator.
- * Lot of time spent (13 Mtgs) We made a very comprehensive recommendation for an Ordinance that pointed out to PC where further direction/discussion was needed. We were not contacted for any further input by PC. It appears that the PC only had opportunity to discuss this issue for a few hours before coming up with their Draft Ordinance? If this is the case there was not enough time spent for the Commissioners to get a deep enough understanding of the issues.

Points about Cap

- * A Cap could adversely affect new home construction in Ouray by eliminating a newcomers ability to build and rent their home until such time as they could relocating (financial burden).
- * STR's make it possible for part time residents to live in Ouray by helping them pay for their home. Otherwise their home would sit empty. The new version of a snow bird- someone who comes periodically through all seasons for a short time. STR restrictions could cause some part time residents to have to sell.
- * Most STR houses are too big and expensive for the average renter in Ouray to Afford, so STR's don't have a major effect on the housing debate. This does not mean that attainable housing is not a significant problem in Ouray, just that there are other factors to consider in finding a solution.
- * STR's generate jobs by employing people to clean, book and maintain them. STR's collect, sales and lodging tax, People who rent STR's create more commerce in town by patronizing local businesses.
- * STR's keep houses from sitting empty and encourage owners to keep their grounds attractive. In some cases there has been some adverse

Craig, good morning. I finally had time to review the suggested ordinance our group put forward in comparison to the draft Chris is presenting to Council. Here are the areas in which I feel our committee's suggestions may have been ignored. I may ask Council to pay particular attention to these items unless Chris is planning on putting them into the City's application for a STVR.

1. Section (3) F: Signage.
2. Section (4) B: Project Description.
3. Section (4) C: Mapping.
4. Section (4) E: Insurance.
5. Section (5) C: Transferability.
6. Section (5) E: Insurance.
7. Section (5) G: Registration.
8. Section (5) H: Management Enforcement.
9. Section (6) B: Guest Information.
10. Section (8): Short Term Rental Units.

My comments to Council tonight may include the following:

1. That the proposed ordinance is not a new concept. In the US many communities have already recognized that STVR are an issue. Many communities in this state and in the nation have adopted far more restrictive statutes to address this situation. Copies of STVR ordinances from Durango, Silverton, Ridgway and Ouray County were provided to all committee members. Silverton Colorado's ordinance was used as our template. Silverton's ordinance (due to the comparable size in population and regional closeness of that community to Ouray) was redlined to develop a far less restrictive suggested ordinance for Ouray.
2. Condo-Hotels were discussed in our boards meeting but not at length. It was never suggested by our committee that this type of use be included in the definition of a established lodging businesses.
3. The persons that comprised the STVR committee were selected from numerous sectors of the community (retail business owners, citizens, STVR owners, second home owners, restauranteurs, realtors and even climbers).Through 13 meetings by these 11 committee members over 250 "Thought Hours" were utilized. The process was fair and objective and all committee members thoughts and opinions on the subject were considered.
4. The public was allowed to participate in all meetings. The public's thoughts and opinions were considered and discussed. At several meetings, in order to maintain forward progress, the public's comments were dismissed due to the fact that the STVR committee had already thoroughly discussed these items as a group.
5. The STVR committee members were available to P/Z via email or phone if they had questions about the ordinance our group put forth.
6. As Chair and Co-Chair of the STVR committee Erin and Craig feel that P/Z may have not included our committee's suggestions (see above notes) in the proposed STVR ordinance that council

Katie Sickles

From: Dolgio Nergui <dolgio@gmx.com>
Sent: Monday, November 19, 2018 5:00 PM
To: Katie Sickles
Subject: STR Regulations Comments
Attachments: STR Regulations.pdf

Hi, Katie.
Sorry for last minute, can you please forward my letter and the attachment to the Council?
Thanks!
Dolgio

Dolgio Nergui
226 Third Avenue
PO Box 251
Ouray, CO 81427

November 19, 2018

City of Ouray
Ouray, CO 81427

Re: Short Term Rental Regulations

Dear distinguished members of the City Council and Mayor:

I would like to further my comments I gave at the November 5 Work Session meeting re: Short Term Rental Regulations.

As I stated in my address to the Council on November 5, my husband and I own a home in Ouray that is our primary and only residence. Renting the part of the house long-term or short-term was the only way we could afford owning a home in Ouray. According to Zillow, median home prices in Ouray are at least \$100,000 above neighboring Montrose (where a lot of people who work in Ouray County reside) and the majority of housing stock is over 100 years old and in need of major repairs. This makes owning a home in Ouray for a working family like ours very difficult without some sort of supplemental income.

We are concerned and disappointed that the proposed STR Regulations prohibit us from renting part of our house unless we have a separate Certificate of Occupancy for the unit (we rent out one level of our house that has a separate entry, full bath and bedrooms and just a coffee maker and microwave – no full kitchen). The proposed requirement for a full kitchen contradicts concerns of the restaurant owners about short-term rentals taking away their share of business by offering full kitchens and discouraging visitors from dining out. Having a full kitchen also offers a direct competition to the conventional hotels and motels and also increases use of water, sewage and trash disposal.

I would encourage the City of Ouray to promote home ownership by year-around residents and business owners in Ouray and introduce some exemptions such as C.O. to STRs that are also primary residences and perhaps an exemption from an annual cap of STRs. From the past meetings, a lot of people seem to be alarmed about the proposed quota – I think a good balance could be achieved by decreasing the cap to say 100 (round number), but waive the cap for folks with primary residency address in City of Ouray (could be a home or business owner, or could be a renter)?

Lastly, having helped draft first draft of the STR Regulations, I'm in favor of some sort of registration process if anything for the purposes of collecting data.

I'm also attaching some minor remarks in the attached document to (highlighted with my comments).

7-2 Definitions

Lodging Business means a lodging unit, ~~or hotel, motel, lodge, inn, bed breakfast, hostel or condominium-hotel, or other building or group of buildings, including on and off-site lodging units, containing lodging units that are used~~ for temporary occupancy for sleeping purposes, ~~that are rented on a short-term basis of less than thirty (30) days, and excludes short-term rental as defined herein. the short-term rental of single-family, duplex, or multi-family dwellings that meet the Short-term Rental Regulations in Section 7-5-J-10.~~

Short-term Rentals means any rental or lease of a single-family, duplex, or multi-family property, lodging unit, dwelling unit, or part thereof, for less than thirty days. Short-Term Rentals are subject to the Lodging and Occupation Tax imposed by the City in Chapter 3 of the Municipal Code, and, Short-term rental of single-family, duplex, or multi-family dwellings, or portions thereof, shall meet the Short-term Rental Regulations in Section 7-5-J-10.

New Ouray Land Use Code Section 7-5-J-10 Short-term Rental Regulations

10. Short-term Rental Regulations

- a. **Purpose.** The Short-term Rental Regulations are intended to protect the public health, safety, and welfare; preserve the character and ambience of neighborhoods within the City; **prevent adverse impacts attributable to short-term rentals;** and to ensure compatibility with surrounding land uses.
- b. **Applicability.** The Short-term Rental Regulations are applicable to the short-term rental of any single-family, duplex, or multi-family dwelling located in the R-2, C-1, and C-2 Zone Districts.
 - i. Short-term rental of dwelling units in the R-1 Zone District are prohibited.
 - ii. Short-term rental of accessory dwelling units is prohibited.
 - iii. Lodging businesses are not subject to these regulations.
 - iv. The short-term rental **or property** shall be subject to the City of Ouray Lodging and Occupation Tax.
 - v. These regulations shall not apply to condominium-hotels that may be operated as a lodging business provided the condominium is created in accordance with the requirements of the OLUC.
- c. **Registration and Licensing.** A separate short-term rental license is required for each short-term rental.
 - i. Applicants for a short-term rental license, or renewal of a license, shall submit a short-term rental application and other City required application materials along with the application fee as set by the City in a fee resolution.
 - ii. The applicant/licensee shall reimburse the City for all out-of-pocket costs incurred during review of the application or license by outside consultants, including but not limited to legal fees and engineering fees. The City shall bill the applicant/licensee upon completion of the application or review process and completion of any conditions thereof. No application or license shall be finally approved until the bill is paid.
 - iii. Community Development staff will review and act on short-term rental licenses.
 - iv. As a condition of the issuance of an initial license, the City shall conduct a site inspection to ensure the standards set forth in this Section will be met, including

but not limited to parking, carbon monoxide detectors, smoke detectors, street addressing, and lighting.

- a) License renewals shall not require an additional inspection unless Community Development staff determine a new inspection is required due to changes since the last application, past complaints, or other issues that arise from the license review.
- v. A short-term rental license shall be granted solely to the owner of record of the property for which the license is issued and shall not be transferable to any other ~~person~~.
- a) The short-term rental license may list a responsible party to ensure the requirements of this Section are met; however, the property owner shall remain responsible for compliance.
- vi. The Community Development Department may impose reasonable license conditions to ensure the requirements of this Section will be met.
- vii. Short-term rental licenses shall be issued for a period of two (2) years and subject to biannual renewal.
- viii. All existing short-term rentals shall apply for a short-term rental license within three (3) months of the effective date of this ordinance. Thereafter, short-term rentals without a license shall be considered illegal and the City may pursue enforcement action.
- d. **Short-term Rental Cap.** The number of short-term rental licenses in the City of Ouray shall be limited to 139 dwelling units at any one time.
 - i. Short-term rentals that are included in the City Monthly Lodging and Occupancy Tax Report as of October 1, 2018 ("**Current Short-term Rentals**") shall be given priority for issuance of a short-term rental license prior to the issuance of any new license by the City.
 - a) Current Short-term Rentals shall submit an application for a short-term rental license by March 29, 2019; if such an application is not submitted by such date, the Current Short-term Rental shall lose its priority status and be treated as any other eligible property in the City.
 - b) Current Short-term Rentals that submit an application for a property that does not meet the requirements of the Short-term Rental Regulations shall be denied the issuance of a short-term rental license.
 - ii. Only complete applications will be considered, with licenses issued by the City on first complete application - first considered basis, with Current Short-term Rentals given priority for issuance of a short-term rental license within the cap and application deadlines established by this section.
- e. **Standards.**
 - i. A short-term rental shall not change the residential character of the property, either by use of colors, materials, lighting, advertising, excessive site improvements, or other actions that change the residential character.
 - ii. A short-term rental shall not cause a public nuisance through adverse impacts such as lighting, parking, signage, noise, glare, vibrations, or odors.
 - iii. Signs are prohibited for short-term rental.
 - a) Short-term rentals that currently have a sign shall remove all signage as a part of obtaining a license.

- iv. All short-term rentals shall clearly post the correct address in accordance with City addressing and street numbering requirements.
- v. The maximum number of persons per short-term rental shall be two (2) per bedroom, plus two additional persons **provided a sofa bed, Murphy bed, or similar temporary bed is provided in the short-term rental.**
- vi. In addition to Ouray Municipal Code Section 10-2-Y, short-term rentals shall be subject to quiet hours between 11:00 PM and 7:00 AM.
- vii. One parking space per two (2) bedrooms shall be provided.
 - a) All parking for the short-term rental shall be provided on site, or on-street fronting the short-term rental where on-street parking is allowed by the City.
 - b) The on-street parking shall not be reserved for the short-term rental and will be available to the general public on a first come, first served basis.
 - c) No parking shall occur on sidewalks, lawns, or other landscaped improvements.
 - d) Trailer parking on City streets shall comply with the Ouray Municipal Code.
 - e) Parking shall be constructed and provided on-site if physically possible based on standard engineering practices.
- viii. The short-term rental license shall designate a responsible party who is located within a forty-five (45) minute drive of the City and available for immediate response to issues or emergencies that arise from the short-term rental.
- ix. A short-term rental shall only be leased or rented out to one party that occupies the entire dwelling. Individual rooms within a single-family dwelling short-term rental shall not be rented out separately unless the dwelling unit has a separate, attached, or detached dwelling unit that complies with the applicable Municipal Code requirements (Building Code, OLUC, etc.) .
 - a) Multi-family buildings may have more than one short-term rental provided a license is obtained for each dwelling unit and no more than twenty percent (20%) of the units are short-term rentals. Condominium-hotels shall be exempt from this limitation.
- x. The owner or responsible party shall collect and pay all applicable local, state, and federal taxes, including the City's Lodging and Occupancy Tax.
- xi. The short-term rental shall meet all applicable local, state, and federal regulations, such as the Colorado requirement for carbon monoxide detectors (CRS 38-45-101 et seq.), the Building Code requirement for smoke detectors, and life-safety Building Code requirements, such as egress from sleeping areas.
- xii. One (1) fire extinguisher shall be kept and maintained within the short-term rental kitchen area.
- xiii. The short-term rental property shall be kept free from litter and junk as required by Ouray Municipal Code Section 10-2-Z.
- xiv. Trash or recycling shall not be stored in a location that is visible from the public street or sidewalk. The short-term rental shall comply with Ouray Municipal Code Section 12-1, with arrangements for proper disposal of garbage, refuse and trash collection.
 - a) Short-term rentals shall be charged the commercial rate.

- b) Trash shall be properly managed and not visible or overflowing so as to cause a nuisance.
 - c) Animal resistant trash containers shall be provided as required by the Ouray Municipal Code.
 - xv. Short-term rentals shall replace any exterior open light fixtures with dark sky compliant lighting.
 - xvi. The following information shall be posted in readily visible location within the short-term rental:
 - a) The Short-term Rental License issued by the City;
 - b) Contact information for the owner and, or, responsible party;
 - c) Maximum number of guests;
 - d) Location of fire extinguishers;
 - e) Quiet hours of 11 PM to 7AM;
 - f) Trash disposal information;
 - g) Other information???
 - xvii. All online or published advertising for the short-term rental shall display the City of Ouray Short-term Rental License number.
- f. **Violations, Revocation and Penalties.**
 - i. The Community Development Coordinator, or other such authorized person as designated by the City Administrator, may revoke or suspend a short-term rental license for a violation of the Short-term Rental Regulations or a violation of the Ouray Municipal Code.
 - ii. The administration and enforcement of the Short-term Rental Regulations shall be as provided for in OLUC Section 7-3-A.
 - iii. In addition to the foregoing serious or repeat violations of the Short-term Rental Regulations may warrant administrative revocation of a short-term rental license for a period of up to two (2) years.
- g. **Appeals.**
 - i. Appeals of administrative decisions under this Section shall be made pursuant to OLUC Section 7-5-H.

Community Development Coordinator

Subject: FW: short term rentals

From: Jane Holmes <janebrownholmes@gmail.com>

Sent: Monday, November 5, 2018 5:06 PM

To: Pam Larson; Glenn Boyd; mauerb@cityofouray.com; Dee Hilton; Dawn Glanc

Subject: short term rentals

Hello,

I am not able to attend the meeting tonight, so I am writing to you to briefly express my thoughts regarding limiting the short term rental permits. My husband, Rob, and I purchased our property at 718 4th St, Ouray, CO in 1991. It is zoned R2 and consists of our home plus a duplex in our back yard. We have always rented the duplex long term, but with the knowledge that because of the zoning we could someday rent short term to supplement our retirement income. In fact, that was a major selling point when we decided to buy the place, and one of the reasons we were willing to live in such a densely populated part of town. We have kept the property in spite of challenges dealing with the mulit-family dwellings next door because we knew our place was a money maker if we eventually chose to rent short term. I would hope that current property owners could be "grandfathered in" and be able to purchase a short term rental permit whenever we are ready. Otherwise we feel like we will need to switch to short term in the more immediate future, which doesn't seem like it would jive with the intent of any regulation. Thank you for your consideration.

Jane Holmes

Community Development Coordinator

From: ouraybrew@gmail.com
Sent: Thursday, November 08, 2018 12:34 PM
To: Katie Sickles
Cc: Community Development Coordinator
Subject: Following up on STR's - Erin

Katie, Chris, good afternoon. I hope you are both doing well. Below is the email that I sent to Craig regarding the proposed STR ordinance that our workgroup sent to planning and zoning. After thinking this through I'm assuming that Chris is most likely going to simply put the 10 items below into an application for property owners to fill out. Chris, please correct me if I'm wrong.

I will reiterate that I am in favor of the shortened ordinance that Chris has put together. I am hoping that Council continues forth with what they are working on rather than kicking things back to Planning and Zoning. I am personally in favor of a cap on STR's although the committee I worked with was not. (My two cents).

Thank you both for all your hard work on this.

Best,

Erin Eddy

Craig, good morning. I finally had time to review the suggested ordinance our group put forward in comparison to the draft Chris is presenting to Council. Here are the areas in which I feel our committee's suggestions may have been ignored. I may ask Council to pay particular attention to these items unless Chris is planning on putting them into the City's application for a STVR.

1. Section (3) F: Signage.
2. Section (4) B: Project Description.
3. Section (4) C: Mapping.
4. Section (4) E: Insurance.
5. Section (5) C: Transferability.
6. Section (5) E: Insurance.
7. Section (5) G: Registration.
8. Section (5) H: Management Enforcement.
9. Section (6) B: Guest Information.
10. Section (8): Short Term Rental Units.

My comments to Council tonight may include the following:

1. That the proposed ordinance is not a new concept. In the US many communities have already recognized that STVR are an issue. Many communities in this state and in the nation have adopted far more restrictive statutes to address this situation. Copies of STVR ordinances from Durango, Silverton, Ridgway and Ouray County were provided to all committee members. Silverton Colorado's ordinance was used as our template. Silverton's ordinance (due to the comparable size in population and regional closeness of that community to Ouray) was redlined to develop a far less restrictive suggested ordinance for Ouray.
2. Condo-Hotels were discussed in our boards meeting but not at length. It was never suggested by our committee that this type of use be included in the definition of a established lodging businesses.

3. The persons that comprised the STVR committee were selected from numerous sectors of the community (retail business owners, citizens, STVR owners, second home owners, restauranteurs, realtors and even climbers).Through 13 meetings by these 11 committee members over 250 “Thought Hours” were utilized. The process was fair and objective and all committee members thoughts and opinions on the subject were considered.
4. The public was allowed to participate in all meetings. The public’s thoughts and opinions were considered and discussed. At several meetings, in order to maintain forward progress, the public’s comments were dismissed due to the fact that the STVR committee had already thoroughly discussed these items as a group.
5. The STVR committee members were available to P/Z via email or phone if they had questions about the ordinance our group put forth.
6. As Chair and Co-Chair of the STVR committee Erin and Craig feel that P/Z may have not included our committee’s suggestions (see above notes) in the proposed STVR ordinance that council is currently reviewing.

If you see this email prior to the meeting please feel free to redline or modify as necessary so that we both are on the same page at the meeting.

Best,

Erin

Community Development Coordinator

From: K J Wood Distillers <kjwdistillers@gmail.com>
Sent: Wednesday, November 07, 2018 8:36 AM
To: Katie Sickles; Pam Larson; Glenn Boyd; Bette Maurer; Dee Hilton; Dawn Glanc;
Community Development Coordinator; craig hinkson; Aaron Eddy
Subject: STR Draft Regulation

Madame Mayor, Council and All,

It is incumbent on me that I first make a Formal Apology to Craig, Aaron, Bette and the STR Committee. Based on the manner in which the STR Draft Regulation was presented by Planning and Zoning, and Staff two weeks ago; I was miss-lead in believing that the proposed Draft was the work of the STR Committee. After this weeks work session it became very clear that their work had been greatly disregarded by P&Z, and Staff in tone and detail. My initial reaction was not only unfair to those mentioned above, but was unnecessarily reactionary against their work.

There are two major issues I think should be strongly deliberated prior to any passage of STR Regulations. First is the inclusion of C1/C2 in any restrictive or encumbering regulation. None of the many regional STR Regulations have ventured into this area. All have purposely excluded C1/C2. Not only as it is the Highest and Best use in this instance, but it represents the greatest potential revenue return for a community to have STR in C1/C2. Secondly, the process engaged by P&Z, and Staff should be of great concern to Council. Not only was it a grave departure from the intentions of a 13 week diligent process by the Committee; but it allowed personal agenda and unilateral ethos to direct a process that should rest with the Citizens of the City, be defensible by Council and be ultimately in the best interest of all. That appears to not have been the thinking or process utilized in this instance. With an average of 5-6 City Committee and Council meetings twice a month, P&Z's expectation that 20-30 people attend their meetings is not in keeping with the principle of representative government expected by our citizenry.

Again, my two main hopes with this email are that you take away my apology to those whom I offended or upset with my protest over the past two weeks. And that we consider very strongly the financial implications and impacts of assigning further regulation to C1/C2 zones in this measure.

Sincerely,

K John Wood
KJWood Distillers-Owner
929 Main St
Box 1017
Ouray, Colorado 81427
303-517-7697
kjwdistillers@gmail.com
www.KJWoodDistillers.com

The short-term rental committee submitted to staff and planning commission regulations directly from Silverton. This was a matter of convenience one would suspect. However, not Ouray centric.

The first offense of the proposed regulations is that to real property owner rights. When purchasing real property, one is actually purchasing a bundle of rights. Some of which are the quiet enjoyment of occupying one's home and preventing others from doing so. In the case of R2 zoning one is also provided the right to expose one's property to outside occupancy, just as are motels and B&Bs.

Let's look at the bigger picture. Whether or not we as individuals like, dislike, want, don't want, want less or more vacation rentals is subjective and irrelevant to the larger scope of understanding. We, as a city, allow thousands of dollars to be allocated solely for the purpose of promoting Ouray as a vacation destination. This comes with consequences. What we are really talking about here is tourism. Tourism. The reason why people wait in line to sit on a roof to eat a hamburger. The reason why multiple shops make a living selling t-shirts and the like. The reason why, as I attempt to navigate 3rd Avenue on my way to and from our home, which becomes our city's busiest sidewalk, I see "No Vacancy" signs on motel marquees on a consistent basis. It is also the reason why vacation rentals exist. We, as a city, are victims of our own success. Or, as the song most famously proclaims, prisoners of our own device. We must make a choice. The argument that limiting vacation rentals to create a balance of occupancy, while well intentioned and altruistic in nature, is naïve and moot. We are a decade too late for that.

To the points: Preventing hollowed out communities. On our street in R1 zoning, Pinecrest Drive, there are 13 homes. Five are owner occupied. One is rented long term. Seven are empty now because the owners went back to Texas for the winter. Queen Street. When the 4,000 S.F. summer home home is completed next door to us, there will be 5 homes. Only one of which is owner occupied. The remainder, summer homes. One of which is occupied on average one week every 3 years.

The argument that vacation rentals are a conglomerate of over occupied housing is erroneous and potentially harmful to the owners of same. It is reported by staff that 124 vacation rentals exist in Ouray. When I sold my vacation rental management business in December 2017 my company represented nearly half that number. All of these were closely monitored for occupancy levels and quality of lodging fitness. All paid LOT and

sales tax monthly. It is highly doubtful that the remaining half are in an aggressive violation of the same.

Another fact to consider is that there are a dozen or so homes in R1 zoning that are occupied by visitors to our city for a minimum of 30 days, sometimes as much as 90 days. These can only be considered as extended stay vacation rentals. Yet they are exempt from the proposed regulations.

There are home owners in R2 zoning that only purchased their homes because of the right to expose them to the vacation rental market. In some cases, a purchase in R1 was preferable except for that fact. When we allow some owners of R2 properties to permit vacation rentals and not others, we may not legally be performing a taking, but we are most certainly exercising discrimination. We must take into consideration the fact that up to 3/4ths of annual income from a vacation rental can be used to establish loan to value ratio for the purpose of a home loan. If one is not guaranteed the option of transferring a vacation rental option to a buyer, then the home values are potentially decreased. This is a liability issue laid squarely upon the city and probably city council.

Lastly, does the city really want to get involved in the policing of vacation rentals? Two persons per bedroom when modern bunk beds accommodate three. Rent a room in your home long term, but not short term? Do we want to be in a liable situation where we sanction a vacation rental where someone potentially experiences harm in same?

It gets down to this. Keep it simple. If the information circulated by OCRA is correct, visitors spent over 27 million dollars in Ouray in 2017. They say that equates to 350 local jobs and 1.1 million in local taxes. If we decide to keep this pace of marketing we will require more vacation rentals, not less. If we decide to cap vacation rentals, we will create a monopoly for those currently in existence and a barrier for others seeking equal enjoyment within the same zoning.

The only practical way to limit vacation rentals, if that is the goal, is to limit the marketing of our city as a vacation destination. We cannot keep telling more people to come here without providing the lodging to house them. It doesn't make sense to do so. Supply is limited by a decrease in demand.

Take this issue down a notch. Establish a simple registration system. Incentivize participation instead of mandating compliance. Work with owners of vacation rental properties. These people are exercising their use by right, just as are motels and B&Bs. Recognize them as the valuable contributors to the reality we've created. Or, we simply moderate our zeal for increased tourism, and we all live with the results of that. One choice is truly sustainable. The other is not.

Michael Underwood

Owner, Broker
(970) 318-6577 cell
(970) 325-7280 office

www.betterrealestateservices.com



Community Development Coordinator

From: April H. Orgren <april.orgren@gmail.com>
Sent: Monday, December 03, 2018 4:20 PM
To: Pam Larson; Glenn Boyd; Bette Maurer; Dee Hilton; Dawn Glanc
Cc: Community Development Coordinator; 'Mark Orgren'
Subject: STR vs LTR

Dear City Council,

My reasons for contacting you about short term rentals in Ouray are two-fold. I represent our own little short-term rental business, and also represent the non-profit owner of a building who could use some help in offering six affordable apartments to the community.

STR Comments:

With cities jumping on the band wagon to restrict short term rentals, there seems to be a general misunderstanding of the motivation for a property owner to offer a property for short-term rental. Regulators seem to harbor a fantasy that such huge profits are to be made through VRBO that investors are snatching up properties in order to VRBO them, thus causing a housing shortage. As one who has owned both long-term and short-term rentals in Ouray, I can tell you that is a gross misunderstanding. First, let's look at where short-term rentals are already banned in Ouray. Most residential properties in Ouray, those in the R-1 zoning district, are forbidden from doing short-term rentals. Yet, most of those homes sit empty for most of the year. Why? Because the owners of those homes refuse to rent them! People buy second homes in Ouray for two primary reasons: 1) because they want a vacation home and 2) because they intend to retire in the house someday. They apparently can afford to have a second home, they want to use the home sometimes, and they don't want renters trashing their dream retirement home.

While most second homes in Ouray are in R-1 and prevented from short-term rentals, some folks have bought their second homes in R-2 where short-term rental is a use by right. These folks have the option of supplementing their mortgage payments with occasional short-term rentals, but their primary use of the property is still as a vacation home for themselves. Telling these people that they can't do short term rentals is NOT going to force them to rent their houses to transient restaurant workers. They will, instead, make their house join the ranks of the vacant second homes in R-1.

Mark and I own probably one of only a handful of residential properties that is a dedicated short-term rental at 301 2nd St. We converted from a long-term rental to a short term rental after three year cycle of transient restaurant workers trashing the house, us investing time and money in the repairs, only to have it trashed again. We lost money for three years doing long-term rental. Since July, we've been experimenting with full-time short-term rentals. We have had some moderate success in having no damage done to the house. I'm still not sure it's financially worth the trouble though. I've attached a hypothetical scenario showing an investor's rate of return on a \$300,000 home in Ouray. As you can see, one can barely break even if a mortgage is involved. The economics would be even worse with a more expensive home. My point is that it's ludicrous to think investors are storming into Ouray snatching up properties for short term rentals. Properties are being snatched up for vacation homes, and STR regulations will not change that fact one iota. In fact, STR regulations could result in more dark houses in Ouray.

Economics - \$300,000 Ouray home used as short-term rental	
\$25,200	Annual Income - 15 days per month @ average \$140 per night
(\$14,400)	Annual mortgage payments*
(\$4,500)	Cleaning - 5 times per month @ \$75
(\$800)	property tax
(\$1,300)	EQR
(\$1,000)	Insurance
(\$1,800)	electricity
(\$720)	internet
\$680	NET INCOME
*Mortgage - \$300,000 home with 20% down @ 4.5 % interest = approx \$1,200 per month	

If Ouray wants to have dedicated housing for low-income employees, it seems that the burden for providing such housing falls to the city and to the employers who aren't paying their employees enough to live here.

Help with affordable apartments?:

As you are aware, the Friends of the Wright Opera House recently purchased the "candy store" building. I am the treasurer at the Wright. We bought the building because of the need to structurally support both buildings in order to preserve Ouray's important historic landmarks. The apartments in the candy store building are currently uninhabitable. They are filthy and soaked with pet urine. We would like to make these apartments available as affordable housing in Ouray. The margins are very tight, but since this is a high density commercial property, the rental economics are a little better than with single family homes. Between the mortgage, the EQR, insurance, and property taxes, we think we will be able to break even. But right now, we are in desperate need of some funding to make these apartments habitable again. There are currently five apartments in the building. There is a sixth space that could be converted into a studio apartment with the addition of a bathroom and small kitchen. Alternatively, that space could be made into a laundromat which is another need in town for both tourists and low income residents. Right now, the Wright has no funds dedicated to improving the candy store building by adding another apartment or cleaning and re-carpeting the existing apartments. If the city is truly dedicated to increasing the affordable housing options for local employees, I respectfully request that the city partner with the Wright Opera House board to help us upgrade the five apartments in the building and work to create a sixth apartment in the old candy store building.

Thank you for your consideration,
 April Orgren
 428 5th Ave, Ouray

From: [Lee Ann Parden](#)
To: [Katie Sickles](#)
Subject: STR"s
Date: Monday, January 7, 2019 11:13:59 AM

Hi Katie,

My name is Lee Ann Parden and I've lived in Ouray for over 15 years, I sell real estate and have owned and managed businesses in the past here in our great city. I am emailing you today out of concern over what the city is trying to do in the way of limiting "short term rentals".

I have attended planning meetings and city council meetings and voiced my concerns, regarding personal property rights being taken away. I do not believe the city has proven that STR's will "hollow out" our community as their buzz phase suggests. I see no proof or any viable studies by the city to prove the council's point of view. In fact I sat at a meeting where Chris Hawkins gave out bad information about how STR's could effect our school. It turns out what Mr Hawkins was stating was his opinion rather than actual data, because there was a school board member who happened to be at the meeting and corrected Mr. Hawkins, proving his information was incorrect. If you drive through 2nd street and that area zoned R-2, there are numerous, hotels, condo's (Alpenglow, managed by Twin Peaks) B&B's, restaurants and spas scattered through out that area where all of us who live there have managed to co-exist just fine. It is hyperbole to believe or suggest the whole area will succumb, (meaning individual homes) to all becoming STR's.

I do have a concern regarding Betty Mauer who's sister owns Twin Peaks and Pam Larsen who's brother is business partner's with Craig Hinkson, who plans to build hotel condos and who owns a hotel. It seems to me these two people should not be allowed to vote in the matters of limiting STR's due to their immediate conflict of interest. Please know that I have no ill will toward either of these women, I highly respect them and their service to our community, but this is a matter of fairness and what I see as protection from nepotism.

Thanks so much for your time!

With kind regards,

Lee Ann Parden
Broker Associate, RENE

Ouray Real Estate Corporation
635 Main St./PO Box 125
Ouray, CO 81427
970-318-6740

Thursday, February 21, 2019

Ms. Pamela Larson
Mayor
City of Ouray
P.O. Box 468
Ouray, CO 81427

RE: City of Ouray Short -Term Rental Community Meeting Scheduled for Monday, February 25th

Dear Ms. Larson:

This letter formalizes a conversation I had in late 2018 with staff regarding the City of Ouray's proposed Short-Term Rental Regulations. Our intent is to provide context and additional information for the Planning Commission and City Council's consideration as they contemplate the draft Short-Term Rental Regulations and any subsequent changes to the City's policies regulating short-term rentals.

Premier Vacation Rentals Group is the largest independently-owned vacation rental management company in southwest Colorado. We provide vacation rental management services to approximately 250 homeowners in 8 jurisdictions across the West. Specific to our Ouray operations, we manage approximately 50 homes located within the City of Ouray. We are familiar with a variety local government's short-term rental regulations and have played an instrumental role in helping craft short-term rentals regulations in the local communities in which we operate. We acknowledge the need for reasonable short-term rental regulations which reflect the local community's sense of place.

We commend the City of Ouray for its current approach to regulating short-term rentals through the use of sensible zoning regulations, which prohibit short-term rentals in Residential Districts (R1) in order to accommodate non-transient residential development. The City's existing short-term rental regulations ensure that Ouray's residential neighborhoods maintain their unique character, and adequately address the Planning Commission and Staff's concerns regarding short-term rentals "hallowing out of neighborhoods and the community". Allowing short-term rentals as a permitted use in areas of the City that are zoned accordingly achieves an appropriate balance between overregulating a permitted use and maintaining a vibrant community. Further legislating this use and adopting more restrictive policies that institute a cap on the number of permissible short-term rentals in areas where short-term rentals are currently a permitted use not only abandons the City's sound policy, but it may also have unintended consequences.

As currently written, the proposed Short-Term Rental Regulations institute a cap on the number of short-term rentals restricting the total number of vacation rentals to 139 dwellings at any one time.

There are several reasons why we think the short-term rental cap and proposed policy should be reconsidered.

1. Contrary to the October 11, 2018 staff report compiled for City Council's October 15, 2018 Short-Term Rental Work Session, instituting an arbitrary cap on the number of short-term rentals only exacerbates the perceived issue of "hallowing out of neighborhoods and the community". Further limiting short-term rentals as a permitted use within a community does not decrease the number of second homes that are purchased in the market, but instead it creates a higher risk market for potential buyers.

Amid the restrictions on the number of permissible short-term rentals, second home purchases will continue at the same rates. However, since a portion of second home owners (30-40%) are not interested in renting their home regardless of the regulations, instituting a cap on short-term rentals disproportionally impacts buyers who are dependent on the supplement income generated by a short-term rental in order to invest in the market. As a result, these individuals will shy away from investing in the market because they cannot afford to have a stranded investment should they not be able to obtain a short-term rental permit from the City. Over time, as the housing inventory turns over, communities are left with an overwhelming percentage of second home owners who are uninterested in renting their homes.

For tourism-based local economies like Ouray's the economic impacts associated with restricting the number of permissible short-term rentals are deep and traumatic. Data on second home ownership in destination markets indicate that on average second home owners occupy their homes 4 weeks per year. Long-term for the City of Ouray, this means nearly 40% of the housing stock will sit vacant 90% of the year, when the second home owners are not utilizing their assets. This phenomenon, often referred to as "dark blocks", is akin to the "dead stars" concept, whereby a star runs out of energy and no longer provides light to the universe. For Ouray this means fewer visitors coming to invest in the local economy as there will be fewer places for them to stay, it means less sales and lodgers' tax to support the City's general fund operations and local marketing efforts, a reduction in local property tax revenue that supports local schools, the loss of local jobs, and ultimately the "hallowing out of neighborhoods and the community".

The proposed cap on short-term rentals has a long-term snowball effect on the local economy. Under an alternative scenario, where the current short-term rental regulations remain unchanged and the market is normalized, Ouray's future is much brighter. Data from Longwoods International's 2016 report on Colorado Tourist Travel Trends indicate that the average Colorado tourist spends approximately \$75 per day while on vacation, with average travel party size is 3.1. When you apply these figures to the above statistics and assume an average annual short-term rental occupancy rate of 35% in Ouray market, the economic forecast for the two scenarios present a stark contrast. The long-term economic forecast under the current regulations outperform the proposed regulations scenario by a figure of 4:1.

	Current STR Regulations	Dead Stars Economic Impact: Proposed STR Regulations Instituting a Cap
Number of Vacant Housing Units ¹	348	348
Number of Vacant Housing Units Not Avail for STR (Located in R1, Owners Not Interested in STR, Long-Term Rentals)	162	266
Number of Vacant Housing Units Avail for STR	186	81
Number of Days per year Occupied by guests and/or Owners	164	91
Annual Occupancy for all Vacant Units ²	30,580	7,462
Average Number of Annual Visitors ³	94,798	2,313
Long-Term Annual Economic Impact for Community (Visitor spend at \$75 / day) ⁴	\$7,109,865	\$1,735,014

Maintaining a normalized market with the current short-term rentals regulations intact not only stimulates the local economy, but it also ensures that 40% of Ouray's housing inventory will not sit empty 90% year.

- As per the October 9, 2018 Ouray Planning Commission meeting minutes, the proposed cap on short-term rentals is equivalent to the "current (October 2018) LOT report plus 15 additional". Instituting a cap on the number of short-term rentals which is derived from the monthly lodging and occupancy tax report for the month of October 2018 (plus 15 additional units) does not accurately depict the number of active short-term rentals that exist under the current regulations.

As noted in the City's *Ouray Lodging Occupancy Tax Trends Summary for November 2018*, occupancy trends for the month of October for the last three years (2016, 2017, and 2018) indicate an occupancy rate of 39% across all lodging establishments. See Figure 1 below for reference. The City's

¹ Data derived from Colorado State Demographer's Office. Population and Household Estimates for Colorado Counties and Municipalities. 2017.

² Average Occupancy for the Ouray Market is 35%, while average second home owner occupancy is 10%.

³ Data derived from Longwoods International Colorado Travel Year 2016. June 2017. Commissioned by Come to Life Colorado.

⁴ Data derived from Longwoods International Colorado Travel Year 2016. June 2017. Commissioned by Come to Life Colorado.

data reinforce the fact that October is an off-season month. With an average annual occupancy rate of 39% for the month of October, existing short-term rentals may not have income to report for the month; and therefore, would not have reported any lodger's tax revenue. As written, under the proposed regulations any units not reporting lodger's tax for the month of October 2018 will not be captured in the count or in the subsequent short-term rental cap. A more accurate approach would be to calculate the cap using a 3-year average based on peak season occupancy – meaning occupancy for the months of June, July, August, and September – when occupancy ranges from 65 – 91%. Using flawed methodology in establishing the cap and vastly underestimating the actual number of existing short-term rentals will have significant impacts during higher occupancy months (e.g. July) as there won't be enough lodging establishments available to accommodate visitors.

Figure 1: Ouray Lodging Occupancy Trends⁵

OURAY LODGING OCCUPANCY TRENDS
Based on Lodging Occupation Tax Collections

	2016				2017				2018			
	Avail. Rooms	Rooms Rented	Occ.%	Exempt Rooms	Avail. Rooms	Rooms Rented	Occ.%	Exempt Rooms	Avail. Rooms	Rooms Rented	Occ.%	Exempt Rooms
	+ RVs, Unfurnished Cabins				+ RVs, Unfurnished Cabins				+ RVs, Unfurnished Cabins			
January	17333	5826	33.6%	530	16537	5113	30.9%	336	16851	5782	34.3%	244
February	15829	5226	33.0%	415	14756	4509	30.6%	165	15344	5075	33.1%	261
March	14959	3638	24.3%	355	16125	3499	21.7%	232	16783	4226	25.2%	172
April	14415	2660	18.5%	397	12262	2411	19.7%	212	13669	3080	22.5%	213
May	19914	5850	29.4%	530	22414	5939	26.5%	259	20641	7396	35.8%	401
June	21122	13521	64.0%	541	21746	14494	66.7%	654	20623	14578	70.7%	626
July	21725	19960	91.9%	743	22093	20230	91.6%	931	21763	19802	91.0%	815
August	21998	16949	77.0%	1060	22227	17344	78.0%	1164	21741	17613	81.0%	837
September	20627	16149	78.3%	767	20901	16519	79.0%	822	18952	15437	81.5%	92
October	20861	7691	36.9%	284	18288	7762	42.4%	454	19545	7462	38.2%	351
November	10880	2113	19.4%	141	16230	2674	16.5%	281	16053	2835	17.7%	400
December	11587	3382	29.2%	142	16783	4226	25.2%	172				
Total	211250	102965	48.7%	5905	220362	104720	47.5%	5682				

If the City of Ouray opts to disregard the local economic impacts associated with implementing a cap on the number of short-term rentals, we urge policy makers to reconsider the methodology used to derive the proposed cap.

3. We urge the City of Ouray to follow the lead of the State of Colorado and several home rule municipalities and sign a Voluntary Collection Agreement with AirBnB. These agreements allow AirBnB to collect and remit local taxes on behalf of hosts and ensure that the local jurisdiction receives all the sales and lodgers tax revenue associated with each AirBnB stay. Sales and lodgers tax collections for local jurisdictions with collection agreements in place increase as many individual owners neglect to collect and remit local taxes. This guarantees that the local government receives the appropriate amount of taxes associated with each AirBnB guest stay. The following communities currently have Voluntary Collection Agreements in place with AirBnB:
 1. Basalt

⁵ Data derived from City of Ouray LOT Summary Report. Nov 2018.
http://www.ci.ouray.co.us/document_center/LOTRENDS_Nov2018.pdf

2. Boulder
3. Broomfield
4. Carbondale
5. Colorado Springs
6. Cortez
7. Denver
8. Durango
9. Frederick
10. Golden
11. Loveland
12. Pagosa Springs
13. Silverthorn
14. Steamboat Springs
15. Snowmass Village
16. Timnath

As documented herein, reducing the number of viable lodging establishments within the City of Ouray through instituting a cap on the number of permissible short-term rentals will have measurable and lasting impacts on the local economy. Over time, with more dead stars and fewer places for visitors to stay, the number of visitors coming to Ouray to invest in the local economy will dramatically decrease. The energy (i.e. money) these visitors once brought to the community will go dark.

Instead of adopting a policy that truly “hallows out the community”, ensure that Ouray’s future remains bright – maintain the sensible approach to regulating short-term rentals through the use of the current zoning regulations, which prohibit short-term rentals in Residential Districts (R1).

Sincerely,

Mary Beth Miles
Premier Vacation Rentals Group
Chief Operating Officer

CC: Mr. Justin Perry, Interim City Administrator
Mr. Jeff Skoloda, Planning Commission Chairman
Chris Hawkins, Community Development Coordinator

From: [Bev Martensen](#)
To: [Interim City Administrator](#); [Community Development Coordinator](#); [Pam Larson](#); [Glenn Boyd](#); [Dawn Glanc](#); [bettemaurer@yahoo.com](#); [Dee Hilton](#)
Cc: [smlangner@yahoo.com](#)
Subject: FW: Short Term Rentals
Date: Wednesday, March 6, 2019 10:29:23 AM

From: Samantha Langner [mailto:smlangner@yahoo.com]
Sent: Wednesday, March 6, 2019 10:15 AM
To: Bev Martensen <martensenb@cityofouray.com>
Subject: Short Term Rentals

To the Community Development Committee:

Hello, my name is Samantha Langner, and I own a Duplex a Loretta Ct in the R2 zone. My husband and I attended Monday evening's meeting, and I have a few concerns about the recent discussion on Short Term Vacation rentals. I am aware that there is currently no cap on the amount of vacation rentals allowed in our town, however, I feel something needs to put in place for regulating these rental units. It has come to my attention, that people who are not citizens of Ouray are purchasing properties, but not living in our community. I feel as though this is a huge problem that our town is facing. Since these people are purchasing homes here, and living in a completely different place entirely, they should only be able to rent out their homes as long term rentals to the working citizens of Ouray. As a Duplex owner, my husband and I would like the right to participate in short term rentals, as we visit our hometown in Wisconsin for a few weeks a year. However, we still live the majority of the year in Ouray, and we work in Ouray and we stay involved in the community, and support the community as best as we can. Being able to rent out our home, would only be for a few weeks per year, instead of several months, or even the entire year. We are still giving the opportunity to a local to be able to have affordable housing, by renting out the other half of our unity to him permanently. I feel that people purchasing homes here, that don't actually live here or contribute to the town, should be the homes that have restrictions. I don't feel like it is fair for someone to own multiple homes in this town, and rent them all out for short term rentals, when there is such a shortage for long term housing in this town.

I don't think the vacation rentals are affecting the income or vacancy of the surrounding hotels, however, it is causing a housing shortage for those families that are getting kicked out of their homes, in order for the property owner to profit more from vacation rentals. The more vacation rentals you allow in town, the more it will drive our workforce out, thus putting major strain on business. If our working citizens have no place to live, they are forced to move to Montrose, and may not have the means to commute back and for to Ouray. This not only puts our businesses in jeopardy, it also affects the attendants at our school, since their will be less children in our town. This will also affect every local business, since there will be an increase in tourism, but a decrease in employees. If we don't have the staff to run our hotels and restaurants, then these businesses will be forced to cut down on hours, thus affecting our city economy. We will not be able to effectively and efficiently accommodate all of the extra tourists that will be here either.

This short term rental issue is also affected by a few other decisions that are being made by city council also. I know that the owners of the Twin Peaks have petitioned to make their facility larger. This is also going to bring in more tourists (which is great for our economy), however, we will again be lacking the staff it takes in order to run that hotel properly, as well as the restaurants, since there is no housing available in this town. At the meeting, a water shortage was also brought to our attention. How will this town be able to accommodate that many extra rooms at the hotel, when we are being asked to conserve water? I find it rather strange, that this was not thought about, and that our water bills have more than doubled, but yet I'm not allowed to use my water comfortably. Perhaps more regulations need to happen when people are coming to city council with building permits. If a citizen would like to build more condos for instance, maybe it should be a stipulation, that those new facilities are for year long rentals to the citizens of Ouray, instead of only making them available for short term rentals, or for purchase only. I am finding that those condos are now being purchased, but are not occupied. I understand that some people are planning to live here for their retirement, and that the short term rentals are the "only way" to make that happen. I disagree 100%. Those owners are able to provide a home for the working citizens of Ouray, and still have their mortgage paid for from those citizens. So maybe that needs to be brought to the attention of people looking to build in this community. There could be a stipulation of being able to build a new housing facility, with the rule of only allowing working citizens to occupy the facility. My husband and I have a tenant that works for CDOT. Now wouldn't that be terrible, if we lost important employees who help keep this community safe, just because we wanted to be greedy and make more money on short term rentals?

Something needs to be done in order to discern what properties are owned by living, working citizens of Ouray, and the people that are purchasing property just to make money, but not be part of the community. I do agree with the Fees that you are putting in place for the short term rental facilities, as the town should benefit from the profit that short term rentals are bringing to the community. I strongly feel the committee should re-evaluate the lack of regulations for short term rentals. Please let me know if there will be any follow up meetings on this matter, as I would like to attend and be able to understand the perspective of the committee. Thank you so much for your time, and I look forward to your response to this email.

Best wishes for a great day!

Samantha Langner



**A PROCLAMATION BY
THE MAYOR OF THE
CITY OF OURAY, COLORADO**

**PROCLAMATION NO. 3, 2019
MENTAL HEALTH MONTH**

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, all Americans experience times of difficulty and stress in their lives; and

WHEREAS, prevention is an effective way to reduce the burden of mental health conditions; and

WHEREAS, there is strong research that animal companionship, humor, spirituality, religion, recreation, social connections, and work-life balance can help all Americans protect their health and well-being; and

WHEREAS, mental health conditions are real and prevalent in our nation; and

WHEREAS, with effective treatment, those individuals with mental health and other chronic health conditions can recover and lead full, productive lives; and

WHEREAS, each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental health problems and have a responsibility to promote mental wellness and support prevention efforts,

NOW THEREFORE, I, Pamela J. Larson, the Mayor of the City of Ouray, do hereby proclaim

May 2019 as Mental Health Month

in the City of Ouray, and I call upon the citizens, government agencies, public and private institutions, businesses and schools in the City to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

Pamela J. Larson, Mayor

May 6, 2019

ATTEST: _____
Melissa M. Drake, City Clerk

**Ouray City Council Regular Meeting
Summarized Minutes
Monday, April 1, 2019 at 6:00pm
Massard Auditorium – Ouray Community Center**

1. CALL TO ORDER

Mayor Larson called the meeting to order at 6:00 p.m.

2. ROLL CALL

Mayor Pam Larson - Present
Mayor Pro Tem Glenn Boyd – Present
Councilor Dawn Glanc – Excused
Councilor Dee Hilton – Present
Councilor Bette Maurer – Present

Also present were Interim City Administrator Justin Perry, City Resources Director Rick Noll, Acting Police Chief Gary Ray, Public Works Director Joe Coleman, Community Development Coordinator Chris Hawkins, Finance and Administration Director Melissa Drake, and City Attorney Carol Viner

3. THE PLEDGE OF ALLEGIANCE WAS RECITED

4. APPROVAL OF MINUTES

a. March 4, 2019

Mayor Larson asked if there were any corrections to the minutes. There were none. She stated that the minutes stand approved.

b. March 18, 2019

Mayor Larson asked if there were any corrections to the minutes. There were none. She stated that the minutes stand approved.

5. CITIZENS' COMMUNICATION

a. Unscheduled Citizens' Communication

Tom Tyler commended OIPI and the ice farmers for the great Ice Park Season

b. Council Response to Citizens' Communication

None

6. CITY COUNCIL REPORTS/INFORMATION

- a. **Mayor Pro Tem Boyd** – County Road 17 Closure – Black Hills gas began work on clearing the rocks on the road and gas line. Additional rocks began to fall so work has halted.
- b. **Councilor Dee Hilton** – Beautification and PARC Committees will be meeting tomorrow at 5:30pm at Rotary park
- c. **Councilor Bette Maurer** – attended the Region 10 meeting. There were discussions on aging, the CNL here at City Hall, and she was elected to the executive board. She also attended the County Housing meeting and affordable housing is a hot topic for all areas.
- d. **Mayor Pam Larson** - JVA is working on WWTP Project, met with Administrator and Kat Papenbrock today

7. DEPARTMENT REPORTS

a. Interim City Administrator

Interim Administrator Justin Perry stated there will be a closure of 6th Avenue between 4th and 5th Streets on April 3rd for construction.

He also spoke about the editorial in the newspaper about the hiring of the pool manager. Administrator Perry stated that the Council has absolutely no involvement in hiring. He outlined the process which included a 4 person committee. He asked Alan Todd from the Plaindealer newspaper and citizens in the room if they had additional questions. Mayor Larson stated that she has no financial interest in Kentee Pasek's salary. City Attorney Carol Viner stated that there are no mandatory recusals in this situation.

b. Acting Police Chief

Acting Chief Gary Ray stated that the water loss last week was not domestic water. It was the line which feeds the hydroelectric plant.

c. Public Works Director

Public Works Director Joe Coleman stated ice climbers should take the leak which occurred last week into consideration since this may happen again and could affect climbers in the area.

d. City Resources Director

City Resources Director Rick Noll stated that the ski hill closed today due to melting and low attendance.

Mr. Noll stated that the brown color in the geothermal pools is due to natural iron and manganese and repairs to pre-filters will remove the color. There is no health hazard.

Correction to his report in packet, the hiring date of the Pool Manager was March 18, not April 18.

8. CONSENT AGENDA

- a. Liquor License Renewal – Alpenglow Properties Ouray Inc. dba Twin Peaks Lodge & Hot Springs**
- b. Liquor License Renewal – Red Mountain Brewing LLC dba Red Mountain Brewing**
- c. Annual B & B Liquor Permit – Secret Garden, B & B**

Mayor Pro Tem Boyd made a motion to approve the Consent Agenda. Councilor Maurer seconded the motion and it was approved on unanimous vote.

9. ACTION ITEMS

a. Beautification Committee Appointment

Mayor Larson said that one person applied to the committee and the Committee recommends approval.

Councilor Maurer made a motion to appoint Curtis Haggar. Councilor Hilton seconded the motion and it passed on unanimous vote.

Mayor Pro Tem Boyd suggested that a City staff member attend or be appointed to every committee. Administrator Perry will follow up on this.

b. PSA for San Juan Room Ceiling and Wall Improvements – Robert Warren, Ouray

Councilor Hilton made a motion to approve the PSA with Robert Warren. Mayor Pro Tem Boyd seconded the motion and it was approved on unanimous vote.

c. PSA for San Juan Room Insulation – Energy Pro Insulation, Montrose

Mayor Pro Tem Boyd made a motion to approve the PSA with Energy Pro Insulation. Councilor Hilton seconded the motion and it was approved on unanimous vote.

d. PSA for San Juan Room Electrical Work – Heitz Electrical, Ouray

Councilor Hilton made a motion to approve the PSA with Heitz Electrical. Councilor Maurer seconded the motion and it was approved on unanimous vote.

e. PSA for San Juan Room Painting – Montrose Custom Painting

Councilor Hilton made a motion to approve the PSA with Montrose Custom Painting. Mayor Pro Tem Boyd seconded the motion and it was approved on unanimous vote.

10. DISCUSSION

a. Philosophy for Hiring City Administrator

Mayor Larson asked if Council prefers to do an in-house hire or go out to the public. Council discussed options and opinions in this area. Council discussed the costs of an external search and their opinions that there is staff internally that is very qualified.

Mayor Larson asked if citizens would like to speak on this issue.

Scott Clifford stated that City Council seems to know what they want in the position and if Justin Perry fits that, they should just offer him the position.

Council continued to discuss and asked that an action item be on the April 15th meeting.

b. Water Conservation

Mayor Larson stated that Councilor Glanc had requested this discussion item but she could not be here tonight. Administrator Perry stated that staff is in favor of some type of restrictions. Council discussed options for conservation including education and an ordinance. Mayor Larson asked if there were any comments from citizens. There were none.

c. Vending/Mobile Food Delivery Ordinance

City Attorney Carol Viner stated that in studying the application from Campbell's Cuisine to sell food from a mobile golf cart, there are several questions and possible unintended consequences. She discussed these with the Council, Interim Administrator Perry, Acting Police Chief Ray, and Adrian Musgrove from Campbell's Cuisine.

Scott Clifford stated that including language in the permit that vendors must be in compliance with Health Department requirements should be all that is required.

Dave Doherty, City Building Inspector, stated that he spoke to the Health Department and confirmed that Mr. Musgrove had been in contact with them.

Jerry Sermon stated that this permit could set a precedent for other businesses in the City.

Greg Nelson stated his concern that decisions should be rapid so Mr. Musgrove does not invest in equipment for no reason.

d. Future Agenda Items

Councilor Maurer discussed the possibility of sidewalk sales in the City. Mayor Larson suggested the topic go to the CEDC and see if they recommend it come back to Council.

Council took a break at 7:07pm.

11. EXECUTIVE SESSION – For a conference with the City attorney for the purpose of receiving legal advice concerning the interim pool manager agreement with Jan Smith and for the purpose of determining

positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. 24-6-402(4)(b) and (e).

At 7:16pm, Council reconvened and Mayor Pro Tem Boyd made a motion to go into Executive Session. Councilor Hilton seconded the motion and it was approved on unanimous vote.

At 7:32pm, Councilor Hilton made a motion to go exit Executive Session. Mayor Pro Tem Boyd seconded the motion and it was approved on unanimous vote.

12. ADJOURNMENT

At 7:32pm, Councilor Hilton made a motion to adjourn the meeting. Mayor Pro Boyd Glanc seconded the motion and it was approved on unanimous roll call vote.

ATTEST:

Pamela J. Larson, Mayor

Date

Melissa M. Drake, City Clerk

**Ouray City Council Regular Meeting
Summarized Minutes
Monday, April 15, 2019 at 6:00pm
Massard Auditorium – Ouray Community Center**

1. CALL TO ORDER

Mayor Larson called the meeting to order at 6:00 p.m.

2. ROLL CALL

Mayor Pam Larson - Present
Mayor Pro Tem Glenn Boyd – Present
Councilor Dawn Glanc – Present
Councilor Dee Hilton – Present via phone
Councilor Bette Maurer – Present

Also present were Interim City Administrator Justin Perry, City Resources Director Rick Noll, Acting Police Chief Gary Ray, Public Works Director Joe Coleman, Community Development Coordinator Chris Hawkins, Finance and Administration Director Melissa Drake, and City Attorney Carol Viner Masters

3. THE PLEDGE OF ALLEGIANCE WAS RECITED

4. CEREMONIAL/INFORMATIONAL

a. Mayor's Proclamation of Arbor Day

Mayor Larson read the document proclaiming April 26, 2019 as Arbor Day.

b. Wright Water Engineers – Peer Review of JVA WWTF Study

Pete Foster gave a presentation to Council regarding the Peer Review. Council and citizens discussed this with him.

c. Ouray Tourism Office Quarterly Report

Kat Papenbrock presented the OTO (OCRA) 4th Quarter 2018 Report.

5. PUBLIC HEARING – New Liquor License Application - Colorado Boy South Inc. dba Colorado Boy Southwest

Mayor Larson opened the Public Hearing.

Mayor Pro Tem Boyd stated that he was asked to sign the petition for Colorado Boy. He refused to sign. He was given some reasons why the restaurant and liquor license were needed. He did not participate and walked away.

Daniel Richards, owner of Colorado Boy in Ridgway and this new location in Ouray, stated that there will be no brewing.

There was no public comment so Mayor Larson closed the public hearing.

6. CITIZENS' COMMUNICATION

Greg Nelson stated that the striping and curb painting had a lot of overspray and the vendor should correct.

Tamara Gulde stated that she is on the Community Plan Committee and requested more people attend the meetings. The next meeting will be April 24. She also stated that the Mt. Sneffels Race will be in August.

Eric Fragraleous thanked the Mayor for the Arbor Day Proclamation and the work on fighting the bark beetle in the area. He also spoke about the metals in the water from the power plant when flushes take place, stating that they should not be released into the river. He also spoke in opposition to the light of the Box Canon sign.

7. CITY COUNCIL REPORTS/INFORMATION

- a. **Glanc** – IPAT report was in the packet
- b. **Maurer** – none
- c. **Boyd** – asked citizens to attend the Community Plan Meetings. The CEDC didn't have a quorum at their meeting. Planning Commission considered a request to allow paid parking lots in C1 Zone but did not approve.
- d. **Hilton** – asked about a final decision on the flower placements. PARC Meeting information is in the Administrator's report.
- e. **Larson** – none

8. DEPARTMENT REPORTS

a. Interim City Administrator

Interim City Administrator Justin Perry stated that Glenn Boyd, County Emergency Manager, is heading up the Multi-Hazard Mitigation Plan for the County and participation in these meetings is very important.

He stated that work on declaring the Box Canon sign as a historical site is in progress.

The pre-qualification application for funding for the WWTF Project was submitted on Friday.

He recognized Dave Doherty for his work on the water metering project and passing a certification last week. Administrator Perry gave an overview of the project plan for water meter installation.

He stated that discussions about the rockfall west of Pinecrest should occur soon. Mayor Pro Tem Boyd said that the representative from the Colorado Geological Survey should attend that meeting.

April 30th from noon to 3:30pm will be the incident planning meeting for the area.

May 1, 6pm, at Fellin Park near the pool is the next City Administrator Community Meeting.

Work during the pool closure today is progressing well.

Mayor Pro Tem Boyd asked to re-evaluate staff participation in all committee meetings after the busy season to make sure it's useful.

Mr. Perry will work on a policy for liquor license applications.

b. Finance and Administration Director

i. February Financial Report

Finance and Administration Director Melissa Drake stated that the financial reports for February and March do not have budget information. She and Administrator Perry noted that staff are still working on modifications to the budget but those should be complete by the second meeting in May.

Council did not make a motion regarding the February Financial Report since budget information is not complete.

ii. February Disbursements

Council did not make a motion regarding the February Disbursements.

iii. February Sales Tax Report

Finance Director Melissa Drake presented the Sales Tax reports.

iv. March Financial Report

Council did not make a motion regarding the March Financial Report since budget information is not complete.

v. March Disbursements

Council did not make a motion regarding the March Disbursements.

vi. **March Sales Tax Report**

Finance Director Melissa Drake presented the Sales Tax reports and Council discussed.

vii. **February and March LOT Report**

Finance Director Melissa Drake presented the LOT Reports for February and March which reflect January and February activity. This is the first information on LOT revenue since the change from a flat rate to a percentage of 3.5%. Council discussed the reports.

c. Community Development Coordinator

Community Development Coordinator, Chris Hawkins reminded everyone that there will be a Special Meeting on April 22 regarding the Preliminary PUD for Twin Peaks. There will be a work session on Short Term Rentals on May 6, at 5pm.

9. ACTION ITEMS

a. New Liquor License Application – Colorado Boy South Inc. dba Colorado Boy Southwest

Mayor Pro Tem Boyd made a motion to approve the application. Councilor Maurer seconded the motion and it passed on unanimous roll call vote.

b. Mobile Food Vendor Ordinance – 1st Reading

Mayor Pro Tem Boyd noted that this is a pilot program with only 2 possible vendors, only food may be sold, and there is no fee set by the ordinance.

Adrian Musgrove asked that there be only 1 permit (his), not 2.

Mayor Pro Tem Boyd made a motion to approve the ordinance for the pilot program with a maximum of 2 possible vendors. Councilor Glanc seconded the motion and it passed on a roll call vote of 4 to 1 with Councilor Maurer voting "No."

c. Procurement Policy

Council discussed the policy with City Attorney Carol Viner.

Mayor Pro Tem Boyd made a motion to approve the policy. Councilor Hilton seconded the motion. Council discussed this with staff and citizens.

Mayor Pro Tem Boyd amended the motion for Item III a. to be up to \$999.99 and Item III b. to be \$1,000 to \$4,999.99. Councilor Hilton agreed to the amendment and it passed on unanimous roll call vote.

d. No Check Policy

Council discussed this policy with staff, the City attorney, and citizens at length.

Councilor Maurer made a motion to table this policy until the next meeting. There was no second.

Mayor Pro Tem Boyd made a motion to approve the policy as written (not accepting personal checks except at Administrative Services). Councilor Hilton seconded the motion. Council discussed further.

Mayor Pro Tem Boyd amended the motion to approve the policy modified as follows: not accepting checks at the Hot Springs Pool or Box Canon. Councilor Hilton agreed to the amendment. The motion passed on a roll call vote of 4 to 1 with Mayor Larson voting "No."

e. Internal Hiring Process for City Administrator

Mayor Larson read the internal posting. An Executive Session will be held on April 29 at 7pm to review applicants.

Councilor Maurer made a motion to approve the posting. Mayor Pro Tem Boyd seconded the motion and it passed on unanimous roll call vote.

10. DISCUSSION ITEMS

a. Modification of Rotary Park Master Plan – Boulder Placement

Dolgio Nergui, representing Ouray Climbers Alliance, spoke about placing an artificial boulder for climbing at Rotary Park.

Administrator Perry stated that the PARC, Beautification Committee, and Public Works decided that the best location would be between the playground and the cliff.

Mayor Pro Tem Boyd left the meeting at 8:50pm due to emergency.

Dave Doherty stated that Logan Tyler has just invested his life savings in a climbing wall business so this could be competition. Mike Pilke stated that Logan Tyler's business has a different clientele.

The Ouray Climbing Alliance will need to come back with a proposal including specifications and placement.

b. Future Agenda Items

Discussion on Farmers' Market in town.

11. ADJOURNMENT

At 9:03pm, Councilor Maurer made a motion to adjourn the meeting. Councilor Glanc seconded the motion and it was approved on unanimous vote.

ATTEST:

Melissa M. Drake, City Clerk

Pamela J. Larson, Mayor

Date

**Ouray City Council Regular Meeting
Summarized Minutes
Monday, April 22, 2019 at 6:00pm
Massard Auditorium – Ouray Community Center**

1. CALL TO ORDER

Mayor Larson called the meeting to order at 6:00 p.m.

2. ROLL CALL

Mayor Pam Larson – Present – Recused herself before the public hearing began

Mayor Pro Tem Glenn Boyd – Present

Councilor Dawn Glanc – Present

Councilor Dee Hilton - Present

Councilor Bette Maurer – Present

Also present were City Resources Director Rick Noll, Acting Police Chief Gary Ray, Public Works Director Joe Coleman, Finance and Administration Director Melissa Drake, and City Attorney Carol Viner

3. THE PLEDGE OF ALLEGIANCE WAS RECITED

Mayor Larson stated that the Special Meeting scheduled for April 29th has been cancelled. Review of internal applicants for the City Administrator will occur in an executive session on May 6th.

Mayor Larson recused herself from this hearing and action since her company did the survey work.

Mayor Pro Tem Boyd asked Council if they have had any ex parte communication on tonight's topic. All answered "No."

4. PUBLIC HEARING

Twin Peaks Preliminary PUD Public Hearing. Preliminary PUD for the development and redevelopment of the Property to add 94 hotel rooms to the 54 existing rooms (148 total hotel rooms); expand and improve the existing restaurant; provide conferencing facilities; reconstruct the main lobby building; improve and expand the hotel pool amenity area; and other improvements. PUD variations include but are not limited to variations for increased building size, increased building height, decreased setbacks, and elimination of parking area buffering for parking planned on an alley. The PUD is located on Blk. 2, Lots 1-24, City of Ouray, and Lots 1A-6A of the Shodeen Replat (West ½ of Blk. 3, Lots 1-12); 125 Third Ave and TBD 1st Street

Mayor Pro Tem Boyd gave an overview of the proceedings tonight and outlined code of conduct. He then opened the public hearing.

Community Development Coordinator Chris Hawkins gave an overview of the development, status of the application, variances requested, and options for Council regarding this PUD.

He stated that the Planning Commission has provided a unanimous recommendation of approval with specific conditions.

Pete Foster, Wright Water Engineers, spoke (via phone) about their review of a water demand study for the hotel internally and externally. He stated that under average conditions and dry conditions, there will be adequate water for this development.

City Attorney Carol Viner stated that she has reviewed the PUD. She recommended against selling any City property (requested for encroachments).

Council discussed the PUD with staff and Attorney Viner.

Mary Bates with DHM Design, representing the applicants, spoke about the underground parking garage. She stated that it preserves open space and skews the square footage of the project. Covering an outdoor eating area also increases square footage.

John Nixon, architect for the applicants, spoke about the design of the buildings.

Ms. Bates and Mr. Nixon showed possible construction by-right and to-scale renderings of this proposed project set in photos in the existing location.

Ryan Hein, one of the applicants, spoke about water features to evaporate gray water and provided a handout on gray water recovery. He also spoke about encroachments. Not only are there encroachments on City property, the City also has encroachments on the applicants' property.

Craig Hinkson, one of the applicants, spoke about parking for trailers. He stated that their project provides 4 spaces for trailers. He stated that trailer parking is a City-wide issue. He also spoke in favor of the City selling the property in question regarding encroachments. He noted taxes and fees paid to the City by the business vs. those figures if the project is approved. Mr. Hinkson spoke about benefits to the City: the addition of sidewalks, crosswalks, undergrounding utilities, underground parking, additional trees, gray water system, and low carbon footprint.

Council discussed the project with the applicants.

Mayor Pro Tem Boyd reviewed the required code of conduct again.

Mark Iuppenlatz spoke in favor of the project. He believes that having a modern conference facility and upscale accommodations will increase the local economy.

Don Wild asked if the project will be ADA accessible. The applicants responded "yes."

Kaylee Weisensee spoke against the project because of its size, additional congestion, and the lack of staff housing.

Francie Tisdell spoke in the favor of a modern conference center but not in the location of this project.

Greg Nelson thanked the applicants for their responses to concerns voiced previously. He spoke in favor of conference facilities but has concerns about geothermal energy consumption.

Eric Fagrelus spoke in opposition to the project and stated that some of the attractive items proposed are not part of the PUD. He said that the sheer size is not acceptable.

As there were no further comments from the public, Mayor Pro Tem Boyd closed the Public Hearing.

Craig Hinkson, answered questions raised by citizens. He stated that all new construction is required to be ADA compliant. He also stated that the geothermal resources which will be used by the project are owned or leased (long term) by the applicants.

Mr. Hawkins stated that no permits will be issued until the sewer treatment plant project is well underway or complete.

5. ACTION ITEM

Twin Peaks Preliminary PUD Public Hearing. Preliminary PUD for the development and redevelopment of the Property to add 94 hotel rooms to the 54 existing rooms (148 total hotel rooms); expand and improve the existing restaurant; provide conferencing facilities; reconstruct the main lobby building; improve and expand the hotel pool amenity area; and other improvements. PUD variations include but are not limited to variations for increased building size, increased building height, decreased setbacks, and elimination of parking area buffering for parking planned on an alley. The PUD is located on Blk. 2, Lots 1-24, City of Ouray, and Lots 1A-6A of the Shodeen Replat (West ½ of Blk. 3, Lots 1-12); 125 Third Ave and TBD 1st Street

Mayor Pro Tem Boyd reminded everyone that this is step 2 of a 3-step process. He then read the 9 recommended conditions which were in the packet for the meeting.

Council discussed options with staff and the City Attorney.

Councilor Maurer made a motion to approve the Preliminary PUD and Councilor Glanc seconded the motion. Both Councilors agreed to amend the motion with the conditions presented in the packet modified as follows:

Conditions

- 1) Prior to the Final PUD meeting before the Planning Commission, the Applicant shall submit (A) revised plans to address the Fire Department referral comments; and (B) will address the encroachments.
- 2) Prior to the Final PUD meeting before the Planning Commission, the Applicant shall submit (A) final floorplans and elevations for the proposed buildings; (B) draft plats for the North Site and South Site; (C) revised drainage calculations and engineered utility and grading and drainage plans; (D) revised title commitments for the North Site and South Site; (E) revise the plans to show the building site coverage and total site coverage for both sites; (F) require the removal of the water feature on the South Site; and (G) other plans and information as required by City staff to ensure a detailed review of the Final PUD pursuant to the requirements of the Ouray Land Use Code.

- 3) Prior to the Final PUD meeting before the Planning Commission, the PUD agreement shall be revised to require the Applicant to pay for the proportional cost of, and not object to the formation of a Local Improvement District for the hotel district in the area.
- 4) Prior to the Final PUD meeting before the Planning Commission, the City Attorney will review the following to ensure there are no geothermal impacts:
 - a) Verify if the current Owners of the Twin Peak Lodge are predecessors to Madura's lease of the 35 gallons per minute of the Manganese Mine Spring.
 - b) Verify if the current Owners of the Twin Peaks Lodge own the share of the Radium Ditch 222 water or a separate decree that would allow for the continued use of the Crystal Court Spring.
 - c) Verify how the use of the Crystal Court Springs by Twin Peaks Lodge potentially affect the lease of the Manganese Mine Spring under the agreements associated with OX-2 and OX-6 Wells.
- 5) Any Final PUD shall also have concurrent applications to (1) replat the North Site and South Site to vacate interior lot lines and tie the Property to the PUD; (2) site specific development plan, vested property rights for longer development time period, phasing, etc.; and (3) conditional use permit for jeep, ATV, UTV and other tourist rentals.
- 6) The plans shall be revised to show facilities for a freestanding hotel at the North Site.
- 7) The sign and water feature should be located within the South Site.
- 8) The vested property rights and phased development sections of the PUD Agreement will be crafted to ensure the City has adequate water and sewer resources.
- 9) The architect shall confirm the accuracy of the visual renderings.
- 10) Encroachment permits shall be proposed for all encroachments.

The Council discussed further.

The motion passed on a roll call vote of 3 to 1 with Councilor Hilton voting "No."

6. ADJOURNMENT

At 8:27pm, Councilor Glanc made a motion to adjourn the meeting. Councilor Maurer seconded the motion and it was approved on unanimous vote.

Pamela J. Larson, Mayor

Date

ATTEST:

Melissa M. Drake, City Clerk

- I met with a tenant of the Biota building to discuss having a fire lane identified for the building. They have never had a lane designated and there have been issues with delivery trucks blocking the only entrance and exit to the building. Fire Chief Latta is working with the business owner to have this lane installed promptly.
- I met with staff and discussed the procurement policy in more detail. Concerns have been discussed due to the significant amount of money on each purchase for Public Works and certain purchases within the City Resources department. We will try out the procurement policies as written with the requirement of a bid of everything \$1000 and over, and if the staff impacts are too great, we will come back to council with requests of possible amendments for the dollar amounts.
- As staff we also discussed the possibility of hiring a Parks/Facility Maintenance manager. This was a position that was approved by Council a few years ago, however it was never budgeted for. With our current budget, if we were to combine one of the seasonal employee wages, our bathroom cleaning contract wages, and our ice rink maintenance wages we would have close to enough money budgeted for the position. This would be a hands on position and the individual would oversee all the seasonal maintenance workers, and would perform day to day maintenance operations as needed. This would alleviate burden off of Public Works and would fall under the City Resources Department. The city is in dire need of this position/department, as we currently have nobody assigned to maintenance.
- I met with a citizen who wanted to complain about general maintenance of City Hall and our parks. He brought up the following items that he felt needed addressed:
 - Evaporative coolers not having proper coverings
 - The flag on top of City Hall not being regularly replaced and the flag light not functioning
 - The clock light not functioning correctly and the time not being changed when needed
 - The City Hall molding coming off
 - The need for City Hall to be painted
 - Lack of follow up by staff on identified areas of needed maintenance
 - Parking issues by the Visitor Center
 - Pet stations at the parks not having bags
 - Smoking less than 15 feet from the east entrance community center doors
 - 3rd Avenue drainage issues never being fixed after multiple requestsPublic Works Director is aware of the issues as well, and as we transition one of our PW employees from the pool he will be attending to maintenance issues.
- Staff and I met with Deeply Digital regarding the CNL. We were told that there is still work left to do, which includes getting the fiber to the anchor points. San Miguel Power has given Deeply Digital formal permission to utilize any of their existing poles if needed. Currently our code does not allow for the external wires, however Deeply Digital

feels that they can accomplish their installation very quickly if they could. They will be sending information to me and then would like to speak to council at some point to discuss further.

- I attended the Ouray County Housing Advisory Committee meeting. This was an enlightening meeting and once again just reinforced the need for housing resources. The group discussed the committee as being a centralized center of information for those seeking housing or looking into building affordable housing. Some of the values of OCHAC that we discussed were the following:
 - It supports city, town, and county by serving as an engaged and knowledgeable group.
 - They ensure deed restrictions on new projects are guaranteed in perpetuity.
 - They want to be involved with future housing entities throughout the entire county
 - Currently developing resource and support materials.
 - Provide educational forums.
 - Working to create countywide guidelines
 - Working to be involved with zoning and regulatory changes

During the meeting I learned that Ridgway had compiled a resource list consistent with the advisory committee's resources. I have modified the list to reflect the City of Ouray and have included this on our website as well. This resource is available to anyone seeking information about housing in the City of Ouray or surrounding areas.

- In our last staff meeting we discussed the storage room that connects to the San Juan room. We have looked at creating office spaces in this location, however staff was somewhat divided on this. There is enough room for us to create some excellent breakout rooms for the conference setting in the community center that could be very valuable. According to Chris, this is consistent with our future master plan as well. The need still remains however to have additional office space. Most likely we'll discuss this during our mid-year budget session.
- I spoke with a local resident who has come to council meetings in the past regarding paying such a high water rate on his building on Main Street. He has a 2800 Sq. ft. building that was converted into 5 small apartment units/bedrooms with efficiency kitchens. His contention is that he only has one tap, however because he has the five separate rooms for rent (at affordable housing rates), he is paying 5 EQRs. He is upset that the single family houses that are of this size and use more water are only charged 1 EQR. Dave and I are meeting with him at his building next week to discuss and explain.
- I met with the District Attorney's Office regarding our recent OHV appeal and final judgement. There had been a few jurisdictions outside of Ouray County that disagreed with the judgement, stating that a registered OHV from another state should be recognized as a motor vehicle in Colorado. The results of the meeting were that Judge Yoder's opinion is supported and upheld and is the new precedent for OHV use in Colorado. The state has officially stated that there is no reciprocity from state to state about what a motor vehicle definition is. The State did announce however that they are creating a new pilot program with Hinsdale County to allow OHVs on a 2 mile stretch of

the State Highway in order to provide their tourists access to the backcountry. If this is successful, they will discuss implementation in other tourist locations throughout the state.

- I met with Dawn and Dolgio at Rotary Park to show the location of where the PARC committee and Beautification Committee proposed the climbing boulder placement. Interestingly when we were there, I noticed new rock debris that had fallen directly in the proposed location. Therefore, this location makes me nervous for the boulder placement. Dawn and Dolgio agreed and after walking through the area have selected a different location that they feel would be better suited and safer. They will be attending the next PARC and Beautification committee meetings to present their idea.
- On the 24th I met with officers at the gun range and qualified them on their weapons. I am currently the only certified firearms instructor with the organization. The time is minimal but I will likely need to carry on with this instructor element to ensure their certifications are in place.
- The PD conducted officer interviews last week and we have offered the position to a man who is currently on the eastern slope. He grew up in Western Colorado and is excited to return to the area. If the background investigation goes well, he will officially be hired and will move his family to the Ouray area next month.
- We extended an offer for our Administrative Accounting Clerk this week. The woman has accepted the position and has already began her training phase in the office. We are excited to have her on board.
- The Pool continues to hire more staff and Kentee is doing a great job getting things in order. The shutdown was successful. The following is from Kentee regarding the closure week:

Team,

Here is an update on our week.

Wow, the volunteers came out in force and we were able to repaint the inside of the bathhouse, fix some damage, power wash the outside, scrub the floors down by hand, redo the guard room, change out the lights, change out the shower curtains, hand wipe down the tile, paint the ceilings, wash the windows, power wash and clean the pool, powerwash the deck, garden the inside pool garden beds, clean up around the fish pond, fix the prefilters, change out the regular filters with new sand, plus the beautification committee repainted the outside, planned flower for summer, and clean up the pool deck and the public works crew graded our parking lot and put down road base.

What a success! Thanks to our volunteers, staff, beautification and public works!

Kentee

- I was out of the office on the 25th and 26th for a conference and award ceremony for the Police Department. The PD was awarded the Colorado Parks and Wildlife Southwest

Region partner of the year award. I am very proud of the PD and all the work we have accomplished.

- I was out of the office the 29th and 30th for a funeral but was able to call in for the OTO work session. From my perspective it appeared that this meeting went well and we have a solid future plan with the organization.
- I spoke briefly with Ethan Funk regarding concerns with the possible wireless equipment we could be using with the new metering program. Ethan is concerned that the data collection equipment might interfere with his radio system he currently uses. I have invited Ethan to be present when we meet with the companies and discuss this particular element. I will also be extending this invite to others who might be impacted by the equipment. The date of the meeting is still forthcoming.
- I met with staff members for our first follow up meeting for the metering program. The information gathering stage is going great and we are still on schedule to create and publish RFPs by the end of this month. We are also still on schedule to have the program implementation by September.
- We had our public staff meeting on Wednesday the 1st at 6pm. This meeting highlighted the City Resources department and included a full overview of each resource. We received some great suggestions from community members and were able to answer questions that the group had. Turnout for this meeting was pretty light, but the purposes of community engagement were fulfilled. This meeting was advertised in the E-Newsletter, Facebook, and newspaper.

Council Report

The Ouray Police Department conducted interviews in the month of April for a possible candidate to fill the position of a full time patrol officer. An offer was extended to Timothy Walterschild and was accepted and he is now moving forward in the hiring process.

The Ouray Police Department has completed the background check for Gary (Bernie) Chism and he has accepted a position as a part time Officer. Bernie brings with him 20 years of experience in law enforcement. Rachel Esters has accepted a position as a voluntary reserve officer. Rachel brings with her over 20 years of law enforcement experience. We are excited for them as part of our team at the Police Department.

The Ouray Police Department has heard the concerns from the residents of Ouray in regards to the parking issues within the city. We have taken steps to address those concerns. The police department has ordered and received new parking tickets and will be monitoring the parking issues within the city. Citations will be issued for parking violations.

The back the badge program has paid for its self and is still going good. The Ouray Police Department has ordered 50 more of the Round stickers for the program.

The Ouray Police Department met with some of the youth of the area at the Elks Lodge and enjoyed an afternoon of bowling and games with a Cop. The event went very well.

All of the computer mounting systems have been installed in the patrol cars for the MDCs and are now ready for when Spillman comes on line

(Body Cameras)

The Ouray Police Department are still attempting to obtain grants and donations in the amount of \$6,000 to acquire updated body cameras for our officers. These cameras are a vital piece of our equipment and help to support our officers as well as our citizens, and visitors, by providing more accountability for interactions between the two. The cameras are, in a sense, an unbiased third-party that captures the information and provides answers to questions. They will be beneficial in assisting in any court proceeding as well as providing debriefing information. By having the use of body cameras, it would allow our officers to more accurately document the situations they are called to, and they will also help by:

- Improving and increasing police accountability
 - o Strengthens and helps to show the reality and "human side" of policing - improving the public perspective on policing
- Improves transparency and efficiency of the officers
 - o Strengthens and fosters an environment for building trust between officers and the public

- o Improves role and position of an officer during a court proceeding; e.g. provides indisputable evidence of a situation and can help jurors interpret and visualize it better.

Spillman/MDCs

We are still waiting for Spillman, the Montrose Police Department and the Montrose County Sheriff's Office to complete their updates so the Ouray Police Department can be brought online with Spillman.

The Following was an update from Drea Cole of the Montrose Police Department. Drea is the person coordinating the Spillman program for the Ouray Police Department:

Quick update for all the agencies: I spoke with the project manager and he was looking at the calendar for a Trainer that would be available for the training (Motorola/Spillman will have a trainer on site for the go live date). He said we would be looking at mid-June for the trainer to be available to travel to Ouray/Ridgway.

Next Step is once all the issues have been resolved from the migration and after Robert and I go through all the code tables to make sure both systems match up, we will bring everyone from the Montrose SO server over to the new Police Department server (Mid May), and after that connection is established and issues resolved, we will prepare for the go live date for the Ouray, Ridgway Agencies. This is going to be close to the Trainer's availability date.

Drea advised she would check to see where Motorola/Spillman stands regarding the release of the learning management system (LMS) training system. The training logins for regular Spillman is broken because of the migration.

I met with Drea on April 30th and was advised we will be moving forward with the online LMS as soon as the computer software is ready. The training with the Spillman representative will be postponed. The Ouray mobile VPN was tested and worked well.

Calls for service

The last Ouray Police Department Case Number as of this report (04/30/2019) is O19-1062.

- o 232 Minor Incident Reports (MIR) have been completed.

Officers completed the following Incident reports:

- o 2 Speeding citations were issued
- o One summons was issued for a defective vehicle /No valid Driver's License
- o Two certified vehicle identification number verifications were completed
- o 2 Disturbance calls. No law enforcement action taken
- o Assisted the Montrose Police Department in obtaining a witness statement
- o Responded to a suspicious incident.

- Responded to a destruction of Property call. Citation issued
- Assisted in locating a missing person (Adult)
- Safe2Tell report form the Ouray School District

Ouray Police Department
Sergeant G.Ray

Public Works April Update

Water

- Water Usage Numbers for **March**:
 - Influent (Water from spring) – 19,846,380 Gallons
 - Effluent (Water to town) – 17,251,205 Gallons
 - Ice Park – 0 Gallons
 - Mineral Farms – 162,500 Gallons
- Water shut off at Wright Opera House for installation of backflow device.
- Started the hydro power plant on April 10th.
- City's ORC (Operator in Responsible Charge) attended a water training conference in Loveland in order to test up in certifications.
- Interviews for vacant Maintenance Operator II position. The new City employee is scheduled to start on May 13th.

Sewer

- Continued monitoring sludge levels and dissolved oxygen levels in Sewer Lagoons.
- Task 1- SRF Prequalification Application has been filled out and submitted to CDPHE on Friday April 12th. City staff and JVA will be meeting with representatives from DOLA and CDPHE on May 14th to discuss funding.
- Continued effort with Browns Hill Engineering in transferring the City SCADA system over to our new computer. We now have Windows 10 and it has been a learning experience for both sides with the installation.
- Contractor cleaned and did camera work on of feet of City Sewer Main.
- Sanitary sewer back up at 1550 Main St. Below is the event timeline for April 18th
 - 7:42pm – Public Works Director received a call that the Timber Ridge Lodge, a private residence and a restaurant were experiencing a sewer backup.
 - 7:43pm – Public Works Director called the Public Works Foreman to let him know about the situation and we needed to get a crew assembled.
 - 8:00pm – Public Works Director, Foreman and Mechanic arrived at the shop, emergency locates were called in and we left the shop with our jet rodder which was already hooked up to a truck and ready to go.
 - 8:05pm – Arrive at the job site, another member of the crew was already there waiting for us to arrive. He left straight from his house when he received the call.
 - 8:10pm – Crew started rodding the sewer main
 - 8:50pm – Crew was finally able to unplug the sewer main

Streets

- Graded roads throughout town and added class six road base. Also graded and added class six road base to the pool parking lot. This is in preparation for mag chloride application on May 17th, weather permitting.
- Hauled snow from sled hill and reopened the road.
- Removed plows from all City vehicles and equipment in preparation for summer.

Police

- Install pedestals and power equipment to police vehicles for their laptops.
- Install a lift kit on the police Jeep.

Hot Springs Pool

- Continued geothermal monitoring.
- MWAT Spread sheet for upstream conductivity probe. Downloaded data and added to the spreadsheet for DMR report.
- Final submittal of the TRC compliance memo to CDPHE.
- Hauled and added approximately 100 yards of class six road base to the pool parking lot. The pool parking lot was in desperate need of material and grading work.
- Cleaned up mess that was on the side of the Parks and Recreation building, most of it was left over from the pool renovation.
- Changed 2,600 lbs of gravel and 19,400 lbs of sand media in all filters.
- Changed lower laterals and strainer filters, repaired damage to four inch line in the filter.
- Changed out main pump in the vault and sent old one in for maintenance.
- Removed three actuators and sent in for repairs. All are still warranty.
- Cleaned out discharge tanks, HRT tank, and main vault to remove buildup and sludge.
- Primed walls and painted acid room and chlorine room doors.
- Installed two new door knobs on acid room and chlorine room doors.
- Installed new light in Hot Pool that was broken.
- Turn on sprinklers and fertilize lawns.
- All spare parts have arrived.

City Resources Department

May 6, 2019

Recruitment and hiring are two of the big activities currently in the City Resources Department. Vacancies have been recently filled, or will be filled in the next few weeks in these positions: lifeguards, year-round and seasonal customer service associate (Hot Springs Pool and Box Canon Falls), lead lifeguard, and aquatics coordinator. Recruitment for lifeguards is taking place online, in print media, and face to face with potential applicants at local high schools. A higher number of vacancies exist this year compared to other recent years.

New staff require training and orientation. Multiple lifeguard certification classes have taken place at the Hot Springs Pool. At least one class will be offered in May and one in June. Additional classes will be offered as needed. The Pool Manager and Aquatics Coordinator are scheduled to attend an Aquatics Safety seminar presented by American Red Cross and CIRSA on May 9th.

A change in the organizational structure that had been put in place by the previous Administrator last autumn has been reversed. Pool Maintenance staff will once again be responsible for management of filtration operations and water quality. Maintenance activities will be supervised by the Hot Springs Pool Manager. The change goes into effect May 1st.

During the period when the Hot Springs Pool was closed for four days in April Pool staff cleaned and painted all public areas inside the bathhouse. Lights were repaired, lockers thoroughly scrubbed, and floors scrubbed. The bathhouse is cleaned daily. Pool staff used this opportunity with no patrons present to deep clean. The Lifeguard Room was repainted, reorganized, and new cabinets installed. Outside, pools were power washed, iron stains removed from the pool shells using a vitamin C treatment, equipment was organized for the changing seasons, flower beds weeded, and the south exterior of the bathhouse was repainted. These were important activities for maintenance of the bathhouse and were also important as a means for the Pool Manager to familiarize with the staff and pull everyone together as a team.

Vitamin C (ascorbic acid) was used successfully to remove the iron that was staining the white pool shells. Vitamin C was added to the water in the pool, allowed to sit long enough to interact with the iron naturally present in the water, and then flushed clean. Upon filling the pool became stained as the minerals that had built up in the pipes between the filtration systems and the pools were flushed into the pools. As that water circulated through the filters it became clean.

The deck heating system at the Hot Springs Pool is nearly complete. Mechanical components are installed and piping has been connected. The general contractor states that a small amount of electrical work remains and a short punch list of various work such as trim, painting, and other relatively minor details yet to be completed before final payment is submitted.

Opening day at the Box Canon Falls is May 3rd. The Falls will be open from 9 am to 5 pm daily until May 25th (Memorial Day weekend) when the hours will be 8 am to 8 pm daily. The Lead Service Associate at the Box Canon Falls has been working in the City's Admin. Department to assist during staff transition in that office. Some concessions have been ordered and delivered. Additional concessions and supplies will be ordered when time becomes available. The park will be fully stocked in time for Memorial Day weekend. Snow that remained on the trail into the waterfalls was cleared by City Resource staff.

At the time of this writing steel and prefabricated stair sections have been delivered to the Box Canon Falls in preparation for installation to reinforce the steel staircase leading into the water falls. This work has been initiated but not yet completed. The work on the stairs is being overseen by a member of the Public Works Department.

Renovations in the San Juan Room are nearly complete. Today the painter is finishing the trim and touch-up painting. The room is much brighter and cleaner in appearance. Staff is commended for pulling this project together and providing in-house labor to get it completed on schedule and within budget.

A meeting is scheduled with City staff and Mountain Air Music staff to discuss the event's use of Fellin Park and to coordinate Mountain Air Music activities with other park uses and park maintenance needs.

The City Resources Department will be the subject of an informational community meeting at Fellin Park at 6 pm on May 1st.

Event and Communications Coordinator:

- Posted Council agenda's; Planning Commission agenda's; multiple job postings; posted upcoming City events
- Updated website
- Corresponded with Facebook and Twitter followers and responded to comments, questions, etc.
- Attended City Council meetings
- Created event for Community Meeting at Swimming Pool
- Posted events for PARC
- Met w/ Dept Heads to discuss potential office improvements
- Created Council update videos with Mayor Larson
- Created and Published April newsletter

Police Department Communications:

- Corresponded with social media followers and responded to comments, questions, etc.
- Created Facebook and Instagram posts for: Misc. Winter travel alerts; new part-time officer; multiple training events; visit to dispatch; 420; Ouray Prom; avalanches; Back the Badge;

parking video; bear video; body cams; CO Parks & Wildlife; Easter; Bowling with Cops; Child Fingerprinting

- Assisted Officer Suppeland w/ creating to PSA videos.
- Participated in ride-alongs w/ Officer Suppeland & Officer Wolfe.
- Assisted PD w/ creating and organizing Bowling w/ Cops event
- Assisted Sgt. Ray w/ grant information
- Created event on Facebook for Child Fingerprinting Days in May
- Attended multiple days of training with Sgt. Ray in Montrose and Ridgway
- Created four new Blotter videos with Officer Suppeland to be published on Facebook and Twitter.
- Assisted Officer Crandall w/ Back the Badge promotion at Ouray Inn
- Assisted Chief Perry w/ Back the Badge promotion and donation at Citizens State Bank
- Attended weekly meetings w/ Sgt. Ray
- Posted job posting on website
- Assisted department w/ proctoring part of officer interviews
- Created social media questions to be included in officer interviews
- Assisted the PD approximately 50 hours in April

Event Coordination:

- Assisted with event set-up and cleaning as needed
- Events held in the Community Center included: City Council meetings, BOCC meetings, Planning Commission, City Committee meetings, OIPI Board meetings, Plan meetings, Fencing classes, Women's Club meeting, misc. staff meetings and employee interviews.
- Corresponded with misc. parties regarding use of the facility/parks
- Assisted in misc. renovations of San Juan Room
- Upcoming Events: Council meetings, BOCC, Planning Commission, Community Plan meetings, Monthly Community meetings with Interim Perry, Fencing classes, Committee meetings, PD Drug Cartel Class, Women's Club
- Organized all equipment in San Juan Room and Massard Room



CONSENT AGENDA ITEMS (May 6, 2019):

Resolution for Approval of Emergency Operations Plan Update

Action Requested – *Will City Council approve a resolution for approval of the Emergency Operations Plan update?*

Background – The Emergency Operations Plan was updated earlier in the year and City Council has already reviewed and adopted the plan. We were notified by our Emergency Manager that this plan has to be approved as a resolution vs. approval and adoption.

Staff Recommendation – City Staff recommends approval of the resolution for the Emergency Operations Plan update.

Liquor License Renewal – b. For the Love of Food dba Bon Ton

c. Friends of the Wright Opera House

d. Ouray Brewery LLP dba Ouray Brewery

e. Outlaw Tradition LLC dba Outlaw Restaurant

Action Requested – *Will City Council approve the liquor license renewals for the following establishments:*

For the Love of Food dba Bon Ton

Friends of the Wright Opera House

Ouray Brewery LLP dba Ouray Brewery

Outlaw Tradition LLC dba Outlaw Restaurant

Background – The above named entities are well established businesses within the City of Ouray. The applications for renewal have been reviewed by City Staff and the Police Department and have been found accurate and complete. There are no concerns with the listed entities.

Recommendation – City Staff recommends approval of the liquor license renewals for the entities listed above.

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF OURAY, COLORADO
(RESOLUTION NO. 4, 2019)**

WHEREAS, In the City of Ouray, the public, private, and non-profit sectors, as well as individual citizens, must work together to protect against, mitigate, respond to, recover from, and, to the extent possible, prevent threats and hazards that pose a risk to City of Ouray. The management of emergencies begins well before the emergency strikes, and

WHEREAS, the City of Ouray Emergency Operations Plan, which serves as a policy level and guidance document. It has been written and approved for use in responding to major incidents and disasters within the City of Ouray, and

WHEREAS, All organizations participating in emergency management activities (mitigation, preparedness, response and/or recovery) are to follow the concepts and coordination systems specified in this plan and the accompanying Support Annexes, recognizing that each incident is unique and may require some variations in implementation, and

WHEREAS, The plan has been updated in consultation with the participating organizations. It has been designed to serve and assist with the coordination of the activities of various organizations that may not interact on a daily basis, while recognizing the normal mission of the organization, and

WHEREAS, Nothing in this plan is intended to interfere with the delivery of the organizations' primary services; although, during a crisis resources may have to be temporarily redirected for the public good. As necessary, a local disaster declaration will be issued to address those issues, and

WHEREAS, Upon authorization, this plan may be fully or partially activated to manage natural, technological and human-caused incidents that occur, and

WHEREAS, All City of Ouray employees shall support this plan and carry out their responsibilities as required by this document.

NOW, THEREFORE, BE IT RESOLVED, the Ouray City Council adopts as part of public policy the updated City of Ouray Emergency Operations Plan as its system of preparing for and responding to major incidents and disasters within the City of Ouray.

ADOPTED this 6th day of May, 2019, by the Ouray City Council.

CITY OF OURAY, COLORADO

ATTEST:

By _____
Pamela J. Larson, Mayor

Melissa M. Drake, City Clerk

City of Ouray Emergency Operation Plan

Adopted March 20, 2017
Updated September-December 2018

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AUTHORIZATION

City of Ouray Resolution Statement

To: All Ouray City Departments, Department Heads, Appointed Officials and Elected Officials
All Participating Organizations, Agencies and Jurisdictions

In the City of Ouray, the public, private, and non-profit sectors, as well as individual citizens, must work together to protect against, mitigate, respond to, recover from, and, to the extent possible, prevent threats and hazards that pose a risk to City of Ouray. The management of emergencies begins well before the emergency strikes.

Attached is the City of Ouray Emergency Operations Plan, which serves as a policy level and guidance document. It has been written and approved for use in responding to major incidents and disasters within the City of Ouray. All organizations participating in emergency management activities (mitigation, preparedness, response and/or recovery) are to follow the concepts and coordination systems specified in this plan and the accompanying Support Annexes, recognizing that each incident is unique and may require some variations in implementation.

The plan has been written in consultation with the participating organizations. It has been designed to serve and assist with the coordination of the activities of various organizations that may not interact on a daily basis, while recognizing the normal mission of the organization. Nothing in this plan is intended to interfere with the delivery of the organizations' primary services; although, during a crisis resources may have to be temporarily redirected for the public good. As necessary, a local disaster declaration will be issued to address those issues.

Upon authorization, this plan may be fully or partially activated to manage natural, technological and human-caused incidents that occur. All City of Ouray employees shall support this plan and carry out their responsibilities as required by this document.

Original Plan Adoption: Resolution 4-2017_on March 20, 2017

Update Adopted this the ____ Day of _____, 2019.

CITY OF OURAY, COLORADO

CITY COUNCIL

Pam Larson, Mayor

Vote:	Pam Larson, Mayor	Aye	Nay	Abstain	Absent
	Glenn Boyd, Mayor Pro Tem	Aye	Nay	Abstain	Absent
	Dawn Glanc	Aye	Nay	Abstain	Absent
	Dee Hilton	Aye	Nay	Abstain	Absent
	Bette Maurer	Aye	Nay	Abstain	Absent

Attest:

Melissa Drake Director of Finance and Administration

INTRODUCTION

Major emergencies and disaster incidents are unique events that present communities and emergency personnel with extraordinary problems and challenges that cannot be adequately addressed within the routine operations of local government. Since disasters differ in important ways, and it is impossible to plan for every contingency, highly detailed operational procedures, that can quickly become out of date are avoided in this plan in favor of a streamlined, all hazards preparedness approach.

Government agencies need to anticipate how they will provide services during a disaster, how to resume services once they have been interrupted, or consider alternative means for providing services during a disaster. This Emergency Operations Plan provides guidance to the staff of the City of Ouray, volunteers, departments and agencies, private and non-profit sectors to respond to an emergency.

PURPOSE

The purpose of the City of Ouray Emergency Operations Plan (EOP) is to provide general guidelines and principles for managing and coordinating the overall response and recovery activities before, during and after major emergencies and disaster events that affect the City.

Executive Summary

The City of Ouray Emergency Operations Plan (EOP) 1) outlines circumstances under which the plan should be implemented, 2) provides guidance on the key elements of plan, and 3) identifies the City of Ouray's implementation strategies. The EOP will be implemented during all emergency or disaster events that require city staff to utilize alternative methods of maintaining the daily functions of the City of Ouray. This may include an internal disaster such as a fire in the building where the executive offices are located or where files critical to City functions are located. It could include an environmental event such as extreme winds or flooding where access to services for the City may be interrupted due to debris or impassable roads. Implementation of this plan may occur due to a large disease outbreak or mass fatality event where components of the City's daily functions (vital records) may be overwhelmed. Implementation may also become necessary with the loss of essential leaders in the city or during a required evacuation of the population of the city and/or county.

This emergency operations plan has been developed in accordance with the requirements for local emergency planning established under the State of Colorado Disaster Emergency Act of 1992 and also meets the requirements of other state and federal guidelines for local emergency management plans and programs.

The contents of this plan are intended to provide a basis for the coordinated management of the types of emergencies and disaster events that may occur in the City of Ouray. Ouray County and the Town of Ridgway are welcome to use and adapt this plan. Other organizations and special districts are encouraged to develop and maintain current standard operating procedures (SOPs) to include checklists necessary for implementing assigned duties and functions.

This plan does not address emergency planning and management of the county or special districts. These political subdivisions are responsible for the development and maintenance of their Emergency Operations Plans (EOPs) and Annexes, standard operating procedures and training necessary for implementing assigned duties and functions of their jurisdiction's EOP. The Plan is designed to work in concert with departmental standard operating guidelines, county, regional, and the State of Colorado EOPs.

The City Administrator is responsible for regularly scheduled plan updates and revisions and for developing a training and exercise program to familiarize City staff with provisions of the plan.

The National Incident Management System, NIMS, is the adopted method and organizational structure for managing emergency response and recovery operations within the City of Ouray. All city employees are requested to achieve certificates in the FEMA recommended training fitting their job title fitting response level in an emergency.

Planning Contact Information

For all information pertaining to this plan, contact:

Justin Perry
City of Ouray Police Chief
 320 6th Ave (Physical)
 PO Box 468 (Mailing)
 Ouray Colorado 81427
 970-325-7067
 perryj@cityofouray.com

Record of Change

All changes are to be annotated on the master copy of the Emergency Operations Plan, which is maintained by the Ouray County Emergency Manager. Should the change be significant in nature, an electronic update shall be made and recorded with the applicable stakeholders. If not deemed significant, changes will be reviewed and incorporated into the plan as needed or during scheduled annual updates.

This plan will be updated bi-annually through the leadership team and city council, and as needed after any incident, to ensure that it remains an effective and accurate emergency management tool for officials, responders, and citizens of the City of Ouray.

DATE REVISED	CHANGE OR UPDATE	PAGE REVISED	REVISED BY
Sept 2018	Full Plan Update	Full Plan Update	Justin Perry (Ouray Police Chief) Glenn Boyd (Ouray County Emergency Manager), Reviewed by Ouray County Multi-Agency Coordination Team

Distribution

This document shall be known as the City of Ouray Emergency Operations Plan. This Emergency Operations Plan (EOP) is approved and hereby ordered electronically distributed. All agencies, departments and personnel should review and accept their respective responsibilities as outlined in this plan, including organizational planning and training necessary to implement the plan when required. A hard copy will be kept in the City Administrator's Office (320 6th Ave, Ouray Colorado, 81427, the City of Ouray Police Department (320 6th Ave Ouray Colorado 81427), Ouray Volunteer Fire Department (320 6th Ave, Ouray Colorado 81427), and the Ouray County Emergency Manager's Desk (541 4th Street, Ouray Colorado 81427).

Upon adoption this EOP will be electronically distributed to city officials and departments, the county government and any identified stakeholders for their respective use as well as for planning and training purposes. Additional copies of this plan are available from the City Administrator and will be posted on the City of Ouray's website (www.cityofouray.com).

Scope

The plan establishes a system for coordinating the prevention, preparedness, response and recovery and mitigation, phases of emergency management in the City of Ouray. This plan may be fully or partially activated to manage natural, technological and human-caused incidents that occur. It is divided into three sections: the base plan, supporting annexes and supporting documents.

Essential functions are those organizational functions and activities that must be continued under any and all circumstances as prescribed by the Colorado Constitution. However, some functions may be able to be suspended or prioritized on a temporary basis as needed in an emergency situation and/or recovery.

The scope of the EOP is to identify the essential functions of the City of Ouray and prepare to maintain or recover them during all hazard events. This plan and its annexes address capabilities the City has or can develop to provide services from alternate locations, redundancy for data collection, and personnel that have been trained to provide leadership under disaster circumstances (order of succession). This plans annexes addresses key messages that may need to be developed for public, vendor-managed activities (vaccines, office supplies, UPS [uninterruptible power supply]). It also addresses payroll, purchasing and human resource considerations.

The City of Ouray is responsible for most emergency response operations within City boundaries in conjunction with the Ouray County Sheriff's Office, Ouray County Emergency Medical Service (EMS), Ouray County Emergency Management, and the Ouray Fire Protection District.

Disasters and large-scale emergencies are rarely confined to one jurisdiction. Although only a portion of City of Ouray is likely to be impacted by a single disaster or emergency event, a multi-jurisdictional effort will be required to effectively manage most major incidents. Accordingly, emergency plans and exercises should incorporate procedures for integrating the resources of City and municipal governments, private and volunteer organizations, and state and federal governments.

✿ Within the City of Ouray, emergency response functions are provided by the following agencies:

- City of Ouray Police Department
- City of Ouray Volunteer Fire Department
- Ouray County Sheriff's Office
- Ouray County Emergency Medical Services
- Ouray County Public Health
- Ouray County Social Services
- Ouray County Emergency Management
- Colorado Bureau of Investigations
- Colorado State Patrol
- Colorado Department of Transportation
- Colorado Parks and Wildlife
- Office of Homeland Security and Emergency Management
- San Miguel Power Association
- Regional Dispatch Center
- Internet and Broadband Companies

✿ Routine emergencies will be managed by these agencies under Colorado Revised Statue authorities using the Incident Command System. As an emergency escalates the Incident

Commander will coordinate with City officials to ensure all public safety functions are being provided.

- ✿ When required by incident complexity, the City of Ouray will either assign an agency representative to command and/or open a City Emergency Operations Center (EOC). The EOC will manage issues including, but not limited to damage assessment, coordination of outside agencies and volunteers, and intergovernmental relations.
- ✿ The city will work in cooperation with the following agencies and jurisdictions in multi-jurisdiction incidents and/or through mutual aid response:

Ouray and Adjacent Counties	Log Hill Fire District
Bureau of Land Management	Montrose Fire Protection District
Colorado Department of Public Health and Environment (CDPHE)	Ouray Fire Protection District
Colorado Department of Transportation (CDOT)	Ouray County Mountain Rescue
Colorado Forest Service	Ridgway Fire Protection District
Colorado Office of Emergency Management	Town of Ridgway
Colorado Parks and Wildlife	U.S. Forest Service

- ✿ The **Colorado Department of Public Safety, Division of Homeland Security, Office of Emergency Management (COEM)** is available 24 hours a day to provide advice and technical assistance to Ouray County, the City of Ouray and Town of Ridgway. In addition, the COEM may provide state resources or coordinate other supplemental assistance in support of local emergency management actions. A formal declaration of a disaster by the City Council may be required as a pre-condition of some forms of state assistance or to expedite state assistance. COEM is also the state agency responsible for processing requests for state and federal disaster assistance. It should be noted that response and recovery operations are the responsibility of the City of Ouray and initial support should be provided by Ouray County. As a result of an emergency or disaster event and declaration, county, state or federal **funding assistance is not guaranteed**.

Base Plan

The City of Ouray, Colorado Emergency Operations Base Plan describes the processes comprising a citywide approach to incident management designed to integrate the efforts and resources of local governments, private sector and non-governmental organizations (NGOs). Ouray County Government, special districts, and non-governmental organizations should maintain and update their jurisdictional or response area emergency operations plans on an ongoing basis. Basic roles and responsibilities are outlined in this plan for coordination purposes. This base plan is adopted by the Ouray City Council and no major changes are done without their approval.

Supporting Annexes

The Annexes to the EOP detail the policies, structures, and responsibilities for coordination support with local agencies or other jurisdictions and entities during incidents. Annexes in support of this EOP are both functional based and hazard specific based. As incidents, planned events, and exercises occur, these Annexes are subject to change to improve response capabilities. New Annexes may be added as needed. City Council approval for annexes to be added is preferred but not required.

Supporting Documents

These documents provide other relevant, more detailed supporting information, including terms, definitions, acronyms and a compendium of plans.

City of Ouray Documents

- ✿ Ouray County Multi-Hazard Plan
- ✿ City of Ouray ICS Forms

Emergency Management

A link to the current Supporting Documents from Emergency Management may be found at <http://www.ouraycountyco.gov/272/Emergency-Management>. These plans include but are not limited to:

- ✿ Ouray County Emergency Operation Plan
- ✿ Ouray County Wildfire Annual Operating Plan
- ✿ Ouray County Wildfire Protection Plan
- ✿ Town of Ridgway Emergency Operations Plan
- ✿ West Region Tactical Interoperability Communications (TIC) Plan

Public Health

A link to the current Supporting Documents from Emergency Management may be found at <http://www.ouraycountyco.gov/149/Public-Health>. These plans include but are not limited to:

- ✿ Public Health Emergency Operations Plan
- ✿ Public Health Improvement Plan
- ✿ Ouray County Community Health Resource Guide
- ✿ Regional Health Assessment

Supporting Documents on the Web

Other Supporting Documents can be found on the web. They can be found by clicking on the hyperlinks below for each document:

- ✿ Colorado State Emergency Operations Plan (Link [Here](#))
- ✿ State of Colorado Resource Mobilization Annex (Link [Here](#))
- ✿ Colorado Homeland Security Resource Guide (Link [Here](#))

Note: Supporting documents may be developed and revised independent of the base plan. **Report broken links to City Police Chief at perryj@cityofouray.com**

AUTHORITIES

Federal

- ✿ Americans with disabilities Act
- ✿ Robert T. Stafford Disaster Relief And Emergency Assistance Act And Amendments (Public Law 93-288)
- ✿ Post Katrina Reform Act
- ✿ National Response Framework (PPD-8)
- ✿ Homeland Security Act And Information Sharing Act (H.R. 5710)
- ✿ Homeland Security Presidential Directive 5, Management Of Domestic Incidents (PPD-5)
- ✿ PETS ACT 2006
- ✿ Homeland Security Presidential Directive 8, National Preparedness (PPD-8)
- ✿ Plain Language Guidance
- ✿ Homeland Security Act and Information Sharing Act 202
- ✿ National Incident Management System (NIMS)

State

- ✿ Colorado Disaster Management Act (24 - 33.5 - 704(5) et seq., C.R.S., I,)
- ✿ Colorado All Hazard Resource Database Creation
- ✿ Colorado State Emergency Operations Plan (Signed by Governor Hickenlooper March, 26th 2015)

Local

- ✿ City of Ouray Resolution #2 series 2016 adopting the National Incident Management system affirmed by Ouray City Council, February 6, 2006
- ✿ City of Ouray **Resolution #13 series 2014**, Adoption of Multi-Hazard Mitigation Plan affirmed by the Ouray City Council on November 17, 2014.

PLANNING ASSUMPTIONS

- ✿ Government at all levels must continue to function under all threats, emergency and disaster conditions. Continuity of Government (COG)/Continuity of Operations plans (COOP) should be developed by all agencies and departments consistent with this plan and in accordance with the State of Colorado Emergency Operation Plans and National level guidance.
- ✿ Municipal governments and special districts will perform under their scope of authority and responsibility and will make declarations of emergency and disaster to County Emergency Management. All emergency and disaster declarations received by the County Emergency Manager will be forwarded to the State of Colorado Division of Homeland Security and Emergency Management.
- ✿ The City of Ouray has no fiscal responsibility to any municipal government or special district after receipt of their emergency or disaster declaration nor should the City of Ouray expect Ouray County or the state to have fiscal responsibility upon a receipt of an emergency or disaster declaration.
- ✿ County government, other municipal governments, special districts, and non-governmental organizations should maintain and update their jurisdictional or response area emergency operations and continuity plans on an ongoing basis and especially during time of an emergency or disaster response. These entities are expected to coordinate their planning, response, and continuity efforts with the City of Ouray Government to support intergovernmental responsibility.
- ✿ Incidents begin at the local government level (this includes special districts) and will remain the responsibility of the local government throughout the incident and through the recovery phase. Higher levels of government may agree to share some of the responsibility within an agreed upon scope. Generally, local jurisdictions (up through the county) should not plan on the arrival of significant State resources ordered for up to and possibly exceeding 36 hours after the incident. Federal resources may not arrive until 48-72 hours after the incident.
- ✿ An emergency or disaster can occur at any time and any location. It may create a significant degree of human suffering and loss of life, property damage and economic hardship to individuals, government, public services, the environment and the business community.
- ✿ Collaborating and sharing information across multiple levels of government, the response community and the private sector is essential for the successful stabilization and common operating picture of any emergency or disaster.
- ✿ All aspects of a community (e.g., volunteer, faith, access and functional needs, local governments and community-based organizations; other non-governmental organizations (NGOs); and the private sector) may be needed to effectively plan, respond, and recover from a major disaster.
- ✿ The public expects government to keep them informed and to provide guidance and assistance upon detection of a threat and in the event of an actual emergency or disaster.
- ✿ The premise of the National Response Framework, the State Emergency Operations Plan and this plan is that all levels of government share responsibility for working together in preventing, preparing for, responding to and recovering from the effects of an emergency or disaster event.
- ✿ Within The City of Ouray's organization structure certain City Departments have clearly understood responsibilities during an emergency while other departments have coordination responsibility and authority, however it may be necessary to staff an emergency or disaster with additional outside staff assistance. Depending upon the magnitude and catastrophic nature of the emergency and

disaster there is a potential that any and all City Offices and Departments could be mission tasked to respond and perform certain functions during an emergency or disaster event. The transition to emergency work would be under the direction of the City Council and managed by the City Administrator.

City Profile

The City of Ouray is a Home Rule Municipality and is the county seat of Ouray County, Colorado, United States. As of the 2010 U.S. Census, the population of Ouray was 1000.

City of Ouray History

Originally established by miners chasing silver and gold in the surrounding mountains, the town at one time boasted more horses and mules than people. Prospectors arrived in the area in 1875 and 1877, William Weston and George Barber found the Gertrude and Una gold veins in Imogene Basin, six miles southeast of Ouray. Thomas Walsh acquired the two veins and all the open ground nearby. In 1897 opened the Camp Bird Mine, adding a twenty-stamp mill in 1898, and a forty-stamp mill in 1899. The mine produced almost 200,000 ounces of gold by 1902, when Walsh sold out to Camp Bird, Ltd. By 1916, Camp Bird, Ltd., had produced over one million ounces of gold.

At the height of the mining, Ouray had more than 30 active mines. The town—after changing its name and that of the county it was in several times—was incorporated on October 2, 1876, named after Chief Ouray of the Utes, a Native American tribe. By 1877 Ouray had grown to over 1,000 in population and was named county seat of the newly formed Ouray County on March 8, 1877.

The Denver & Rio Grande Railway arrived in Ouray on December 21, 1887. It would stay until the automobile and trucks caused a decline in traffic. The last regularly scheduled passenger train was September 14, 1930. The line between Ouray and Ridgway was abandoned on March 21, 1953.

The entirety of Main Street is registered as a National Historic District with most of the buildings dating back to the late nineteenth century. The Beaumont Hotel and the Ouray City Hall and Walsh Library are listed on the National Register of Historic Places individually, while the Ouray County Courthouse, St. Elmo Hotel, St. Joseph's Miners' Hospital (currently housing the Ouray County Historical Society and Museum), Western Hotel, and Wright's Opera House are included in the historic district.

Geography

Ouray is located at 38°1'24"N 107°40'20"W (38.023217, -107.672178), in the San Juan Mountains of southwestern Colorado. It is about 40 miles (64 km) south of Montrose. It is only 10 miles (16 km) northeast of Telluride, but due to the severity of the landscape, the drive is about 50 miles (80 km). Ouray is connected to Silverton and then Durango to the south by Red Mountain Pass which crests at just over 11,000 feet (3,400 m).

Climate

Ouray experiences four distinct seasons. Summers are warm in the day and mild to cool at night with brief thunderstorms often occurring in the afternoons in July and August sometimes resulting in intense, though short lived, rainfall. Autumn is cool and mostly clear with occasional rain. Winters are long and cold—though seldom extremely so—with considerable snowfall. Spring is generally cool with early spring often bringing the largest snowfalls; late spring into early summer (mid-May through late June) is mild to warm and is usually the driest time of year. The Köppen climate classification for Ouray is Dfb (Cold-Continental; without a dry season; warm summer).

Economy

The primary present day economy of the City of Ouray is based on tourism. Much of the tourism is based off of recreational activities, scenic mountains, souvenirs, and dining. Tourists come for ice

climbing, mountain biking, hiking and off-roading in four-wheel drive (4WD) expeditions into the San Juan Mountains. Popular destinations include Yankee Boy Basin, Engineer Mountain, and Black Bear Road.

Demographics

As of the census of 2010, there were 1,000 people, 457 households, and 283 families residing in the city. The population density was 1,250 people per square mile (454.5/km²). There were 800 housing units at an average density of 1,000 per square mile (363.6/km²). The racial makeup of the city was 95.2% White, 0.1% (1) African American, 0.4% (4) Native American, 0.8% (8) Asian, 1.9% (19) from other races, and 1.6% (16) from two or more races. Hispanic or Latino of any race was 8.2% of the population.

Of the 457 households, 26.5% had children under the age of 18 living with them, 48.1% were married couples living together, 7.7% had a female householder with no husband present, 6.1% had a male householder with no wife present, and 38.1% were non-families. 32.4% of all households were made up of individual households and 10.9% had someone living alone who was 65 years of age or older. The average household size was 2.19 and the average family size was 2.76.

In the city the population was spread out with 21.7% under the age of 18, 28.1% from 18 to 44, 33.2% from 45 to 64, and 17.0% who were 65 years of age or older. The median age was 45.1 years. For every 100 females there were 101.6 males. For every 100 females age 18 and over, there were 101.8 males

The median income for a household in the city was \$36,094, and the median income for a family was \$45,313. Males had a median income of \$35,217 versus \$27,083 for females. The per capita income for the city was \$23,127. About 9.3% of families and 8.1% of the population were below the poverty line, including 7.1% of those under age 18 and 6.4% of those ages 65 or over.

Government

The City of Ouray is a home rule city and the county seat of Ouray. The City may govern its own affairs within certain limits, but authority to exercise powers is derived from state statutes. The Ouray City Council is the governing body for the City of Ouray. The Council is comprised of 4 council members and 1 mayor. All members of City Council are elected at large from within the city electorate as a whole. Council Members serve 4 year terms and the Mayor serves 2 year terms. The council members are staggered in elections where 2 council member positions and the mayor is up for election every 2 years.

Sectoring the City of Ouray

Due to the size and layout of the City of Ouray's Critical Infrastructure, the City of Ouray is one Sector in an emergency only involving the City. In a County-wide event the County as whole is one Sector.

Hazard Vulnerability Assessment

Through the county-wide hazard mitigation process, an assessment was conducted of potential hazards within the City and County. The assessment details the frequency, vulnerability, exposure and risk of potential hazards to the County and was completed in 2008 and updated in 2015 (scheduled for revision to be completed December 2019). The Ouray County Multi-Hazard Mitigation Plan was developed to reduce and eliminate losses from natural and manmade hazard events and to better protect the people and property of the County from the effects of hazard events. The current All Hazard Mitigation Plan may be accessed by visiting <http://www.ouraycountyco.gov/272/Emergency-Management>.

Hazard Profile

The City of Ouray is vulnerable to many hazards, all of which have the potential to disrupt the community, cause damage and create mass casualties. The Hazard Vulnerability Assessment identified specific hazards for the City based on likelihood of occurrence, severity and impact. The findings include the following hazards and their relative risk ranking:

HIGH RISK	MEDIUM RISK	LOW RISK
Dam Failure	Earthquake	Extreme Temperatures
Debris Flow	Hazardous Materials Incident	Imminent Threat
Flooding	Landslide/Rockfall	Mass Causality Incident
Wildfire	Public Health Emergencies	
Drought	Severe Winter Storms	
Lightning	Windstorms	

Vulnerability Assessment

The City of Ouray and Ouray County Risk Assessment revealed a number of problem areas to be addressed in the mitigation strategy. These key findings are summarized in the following list.

Dam Failure

- ✿ Two high hazard (probable loss of life if failure) dams are located in Ouray County;
- ✿ Full Moon (aka Crystal) Dam has had structural improvements;

Debris Flow

- ✿ Impacts from debris flows could be critical in the City of Ouray, blocking major streets and hindering transportation and movement;

Drought

- ✿ Multi-year droughts occur every 10 years on average in Ouray County;
- ✿ Drought can affect both water quantity and quality;
- ✿ The agriculture and tourism-based economy is particularly vulnerable to drought;
- ✿ Drought increases risk to other hazards, such as wildfire.

Extreme Temperatures

- ✿ Extreme cold is a bigger concern for the County than extreme heat, though extreme heat can exacerbate drought and wildfire conditions;
- ✿ Extreme cold has caused issues with frozen or burst water pipes and crop losses.

Flood

- ✿ Thirty-five recorded flood events between 1874 and 2013;
- ✿ The most serious impacts could occur in the City of Ouray.

Hazardous Materials Release

- ✿ Transported hazardous materials releases are of particular concern to the County due to narrow, winding mountain roads. These roads are especially dangerous during the winter;
- ✿ Streams and reservoirs are also vulnerable to contamination.

Imminent Threat

- ✿ Imminent Threat can be defined as “any conditions or practices in any place of employment which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated through the enforcement.” Some examples would be acts of terrorism and active shooters;
- ✿ There have been past incidents in the County that could be considered terrorism or imminent threat, such as a suicide bomber, bombings of buildings in downtown Ridgway, and Ku Klux Klan rallies in the 1920s;
- ✿ Potential imminent threat targets in the County include mines, resorts, dams, schools, power infrastructure, and all government offices and facilities.

Landslide/Rockfall

- ✿ There are occasional landslide problems in the City.
- ✿ On October 31, 2018 a large rock fall did significant damage to the Perimeter Trail and a home in on Pinecrest.
- ✿ There are several rockfall hazard areas around the City of Ouray.;
- ✿ Landslides and rockfall events can damage and close roads.

Lightning

- ✿ Damaging or fatal lightning events are rare in the County;
- ✿ Outdoor recreationists at high altitude during summer months are very vulnerable to lightning;
- ✿ Lightning can damage power grid and information technology and communications networks.

Mass Casualty Events

- ✿ Traffic accidents involving multiple casualties are the primary concern;
- ✿ Traffic and bus accidents are most likely to occur along the Highway corridors of 550 and 62. The steeper, curvy sections of Highway 550 above and south of Ouray are particularly prone to accidents;
- ✿ The reemerging mining industry in the County is another source of potential mass casualty events;
- ✿ The County has produced tabletop and full-scale exercises on mass casualty scenarios to improve preparedness and response.

Multi-Hazard Event

- ✿ Ouray County has been included in past emergency declarations for drought, frost/freezing events, and high winds; the County has also been included in state declarations for flooding, mudslides, severe storms, and wildfires;
- ✿ Hazard events that cause road closures, such as debris flows/mudslides, floods, landslides, avalanches, and winter storms, affect the economy and safety of Ouray County by restricting access of visitors, workers, and goods and services.

Public Health Emergencies

- ✿ West Nile Virus and pandemic flu are the main concerns for public health emergencies in the County;
- ✿ There have been a few pandemic flu or West Nile Virus cases in the County in 2010.

Severe Winter Storm

- ✿ There is high vulnerability to severe winter weather along highways and mountain passes;
- ✿ Increased population is exposed to hazards and emergencies during high tourist seasons;
- ✿ Vehicle accidents, power/utility disruptions, and isolation due to road closures are the main concern related to severe winter storms.

Wildfire

- ✿ Approximately \$930 million in property value and 2,617 structures are potentially exposed to wildland fire hazards in the county;
- ✿ Critical roads are also vulnerable to wildfire;

Windstorm

- ✿ Past damages from windstorms have typically included blown down trees and power poles, and damage to roofs. Blown-down trees have fallen across Highway 550 just south of the City of Ouray. Strong winds can also blow loose rocks off cliffs and steep slopes in the County, creating a rockfall hazard;

Critical Facility and Infrastructure

As part of the Multi-Hazard Mitigation Plan planning process, critical infrastructure and facilities were identified for the city.

Critical Facilities

Critical Facilities are defined as facilities that provide a necessary service before, during, and after times of disaster. These generally include:

- ✿ Carrier-Neutral Locations (CNL) for Broadband
- ✿ Emergency Operations Centers
- ✿ Emergency Medical Service Facilities
- ✿ Fire Station
- ✿ Fuel Station
- ✿ Governmental Buildings
- ✿ Grocery Stores

- ✿ Law Enforcement Facilities
- ✿ School
- ✿ Shelters/Evacuation Centers

Critical Infrastructure

Critical infrastructure is defined as assets that are essential to the functioning of a society and economy. These include:

- ✿ Cisterns
- ✿ Dams, water treatment and distribution, water storage, water supply
- ✿ Electric power lines, sub-stations
- ✿ Fiber Optic
- ✿ Generators
- ✿ Hydro power facilities
- ✿ Internet
- ✿ Natural Gas Distributors
- ✿ Propane Gas Facilities
- ✿ Sewer lines and wastewater treatment plants
- ✿ Telephone facilities
- ✿ Transportation routes

MITIGATION CAPABILITIES

The jurisdictions within the City of Ouray have limited response and recovery capabilities due to city size, population, location from major municipals, areas with limited access and limited emergency responder personnel. Further limitations in these capabilities are determined through annual plan reviews and exercises. The following details mitigation capabilities within the City structure.

County Emergency Management Program

In the absence of a designated emergency manager for the City of Ouray, the County Emergency Manager assumes emergency management jurisdiction. The County's Emergency Management program addresses planning efforts for the four phases of emergency management that include preparedness, mitigation, response and recovery. The County Emergency Manager is under the direction of the Ouray County Sheriff operationally and Ouray County Administrator administratively.

The Emergency Manager's program provides a structure for anticipating and dealing with emergency incidents and recognizes that disasters are recurring through the four phases of emergency management: preparedness, mitigation, response and recovery.

All Hazards Planning

Ouray County Multi-Agency Coordination Group

The City of Ouray Participates in the Ouray County Multi-Agency Coordination Group. The Emergency Manager is responsible for establishing the Ouray County Multi-Agency Coordination Group. This is a multi-jurisdictional, multi-disciplinary planning and coordination group committed to the development and implementation of all-hazards planning for preparedness, prevention, response and recovery from emergencies and disasters. Participation is open to all local and county agencies, departments, special districts, and businesses within Ouray County and surrounding areas.

Ouray County Local Emergency Planning Committee (LEPC)

The City of Ouray Volunteer Fire Department Chief is the Designated Emergency Response Authority (DERA) for the City of Ouray and a member of the LEPC. The LEPC is a committee appointed by the State Emergency Response Commission (SERC), as required by Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA). It develops emergency plans for Local Emergency Planning Districts, collects material safety data sheet (MSDS) forms and chemical release reports. It also provides this information to the public. The LEPC is tasked with hazardous materials preparedness, response, related training and sits in a policy advisory position for the county.

The Ouray County Policy Group

The Ouray County Policy Group consists of County, Municipal and other jurisdictional policy makers within Ouray County.

Core Capability Assessment Summary

A Core Capability Assessment will be completed and annexed to the Emergency Operations Plan. This summary will detail the City of Ouray's ability to address the core capabilities outlined by FEMA.

Regional Planning

West Region Multi-Agency Coordination Group (WRMAC Group)

To facilitate regional planning and mutual aid assistance, the Emergency Manager and Ouray County Sheriff participates in the WRMAC Group. The WRMAC Group is a six county all hazard planning region located in the western portion of the State of Colorado. It is comprised of Delta, Gunnison, Hinsdale, Montrose, Ouray and San Miguel Counties.

The WRMAC Group mission is to prepare Colorado's West Region communities to be resilient in the face of potential threats and hazards through coordination and collaboration. It is a multiagency, multi-disciplinary emergency planning and coordination group committed to improve all hazard preparedness and resiliency in the West Region, leading to fewer lives lost, reduced economic impacts in affected communities, improved response capabilities and faster recovery time.

West Region All Hazard Region (WAHR)

WAHR is a multiagency, multi-disciplinary emergency planning and coordination group committed to improve all hazard preparedness and resiliency in the West Region, leading to fewer lives lost, reduced economic impacts in affected communities, improved response capabilities and faster recovery time.

West Region EMS Trauma Council (WRETAC)

The mission of the WRETAC is to promote, foster and support cooperative organization of Emergency Medical and Trauma Services in the Western Region and State, utilizing data, communications, protocols and training to provide Quality Improvement.

West Region Health Care Coalition (WRHCC)

The mission of the WRHCC is providing collaborative planning and response to emergencies, in a multi-disciplinary approach, and to preserve the medical infrastructure of the region.

West Region Emergency Preparedness and Response Team (WREPR)

Led by Mesa County Regional EPR team, the mission is to prepare Colorado's West Region communities to be resilient in the face of potential public health threats and hazards through coordination and collaboration. It is a multiagency, multi-disciplinary emergency planning and coordination group committed to improve all hazard preparedness and resiliency in the West Region.

West Region Wildfire Council

West Region Wildfire Council was established in 2007 as a collaborative effort to support interagency efforts to develop and implement plans to better mitigate the threat of catastrophic wildland fire to the communities and natural resources in the Colorado counties of Delta, Gunnison, Hinsdale, Montrose, Ouray and San Miguel

Evacuation and Warning Systems

Emergency Notification System

The City utilizes an emergency phone notification system to provide 'general information' based alerts as well as geographically specific emergency notification to residents. These alerts can be sent to landline phones, cellular phones and email addresses if the end user has opted in for this service. Commuters and visitors to the county may also sign up for the system via a mobile application.

Residents may self-register for emergency alerts on the Ouray County website:

<http://www.ouraycountyco.gov/272/Emergency-Management>.

Local Broadcast Media

The City also utilizes the Emergency Alert System to broadcast warnings over local radio stations and National Oceanic and Atmospheric Administration (NOAA) towers (where available). The authority to initialize this utility, and the message contained, lies with the Emergency Management Director and/or Sheriff only. Local media is also utilized whenever necessary but currently only publishes weekly.

Social Media

The City utilizes social media outlets such as Facebook and Twitter to inform, warn and prepare the public. City general preparedness information alerts and incident updates are ongoing for this platform:

<https://www.facebook.com/CityOfOuray/>: The authority to initialize this utility as a warning mechanism lies with the Incident Commander (IC), Police Chief, Fire Chief, the Emergency Manager, or the designated City Public Information Officer (PIO) during an incident. To post preparedness information, contact the Event and Communications Coordinator or their designee.

<https://www.facebook.com/OurayPD>: The authority to initialize this utility as a warning mechanism lies with the Incident Commander (IC), Police Chief, Fire Chief, the Emergency Manager, or the designated City Public Information Officer (PIO) during an incident. To post preparedness information, contact the Event and Communications Coordinator or their designee.

<https://twitter.com/OurayPD>: The authority to initialize this utility as a warning mechanism lies with the Incident Commander (IC), Police Chief, Fire Chief, the Emergency Manager, or the designated City Public Information Officer (PIO) during an incident. To post preparedness information, contact the Event and Communications Coordinator or their designee.

Hazard and Critical Infrastructure Mapping

The City has contracted with Pangae Geospatial LLC that can provide mapping and database support. The County also has a Geographic Information System (GIS) and Information Technology (IT) Department that can, upon request, provide mapping and database support.

Concept of Operations

The general concept on which this document is based is from lessons learned and best practices from previous events concerning command and coordination. This includes both the immediate event and any effects to the surrounding area or communities. Each incident is unique and requires different prevention and response measures. Therefore, by adhering to the guidelines of NIMS and the National Response Framework (NRF), the City stands ready to meet these challenges.

Every City department or office may be required to respond to an emergency. If a department does not have a specific response role in a given emergency, that department may still be relied upon to support responding departments. The City Administrator has responsibility for the direction and control of City resources during an emergency situation that has reached beyond the capabilities of a local jurisdiction.

Upon request, the City's Emergency Operations Center Manager or designee will activate and manage the City of Ouray's Emergency Operations Center (EOC). The EOC is the facility from which emergency response activities can be directed, coordinated and/or supported. The EOC structure is scalable, based on the magnitude of the situation. If a disaster exceeds City resources, assistance will be requested from the private sector, county agencies, regional agencies, State of Colorado, and if required, federal agencies.

Incident Management Priorities

The City of Ouray's priorities for incident management are as follows:

- ✿ Save lives and protect the health and safety of the public, responders, and recovery workers;
- ✿ Protect and restore critical infrastructure;
- ✿ When appropriate, conduct law enforcement investigations to resolve the incident, apprehend the perpetrators, and collect and preserve evidence for prosecution;
- ✿ Protect property and mitigate damages and impacts to individuals, communities and the environment;
- ✿ Facilitate recovery for individuals, families, businesses, government and the environment.

The City of Ouray has resources and expertise available to assist with incident related problems. The City may modify normal operations and redirect resources in order to save lives, relieve human suffering, sustain survivors, protect property and assist in re-establishing essential services. Life-saving and life-protecting response activities have precedence over other emergency response activities.

Private, faith based, and volunteer organizations (i.e., American Red Cross, Salvation Army, Colorado Volunteer Organizations Active in Disasters), and others will provide basic necessity and life-sustaining relief which is not normally available from government resources to individuals and families. Local and State governmental agencies will assist these organizations by providing information, guidance and coordination of the relief efforts.

The Mayor, in consultation with the City Council if possible, may declare a City disaster or emergency. If the Mayor is unavailable, the Mayor Pro Tem may sign a declaration of disaster or emergency. If the Mayor and the Mayor Pro Tem is unavailable, any member of the city council may sign a declaration of

disaster or emergency. The decision to make a declaration may be based upon emergency needs created by the incident, and/or damage assessment findings indicating the damages are of sufficient severity and magnitude to warrant assistance from the State. This authority is granted to a city through a county by the Colorado Disaster Act. Once the state receives a local emergency/disaster declaration, the state then may make a declaration under the Stafford Act to the President who may grant a major disaster declaration. This in turn, may make available specific federal support programs for a defined period. After the city declaration is made, it must be ratified within seven (7) days by the full City Council. The declaration must be renewed every seven (7) days, and should be let in place while emergency response measures are conducted. Local declarations should be discontinued or allowed to expire at the point emergency response work is completed. State or federal declarations may be left in place during recovery activities.

The Police Chief, the Fire Chief and/or the City Administrator may directly call upon any City Department available to assist in any emergency response. The Police and Fire Chief may call upon resources under their control to include any agency or entity under agreement with their agency, as well as any mutual aid agency requested by the Police or Fire Chief. The Police Chief may call upon the Sheriff to utilize resources under control of the Sheriff to include the Search and Rescue Team, and any agency or entity under agreement with the Sheriff, as well as any mutual aid agency requested by the Sheriff.

Local Coordination

The City of Ouray is responsible for large scale emergency response operations/coordination in within the City. Each of the Municipalities and County Government within Ouray County should establish both a Chain of Command and Continuity of Operations Plan (COOP) sections for their respective functions as part of their Municipal/County Emergency Operations Plans.

All local governments and special districts within the City of Ouray are responsible for coordinating with one another and for providing mutual aid within their capabilities and usually according to the established written Mutual Aid Agreements. If necessary, normal working operations may be suspended or redirected during an incident in order to support emergency response and control throughout the City.

Based on the assessment of emergency conditions by the designated Incident Commander(s), the City Council (and/or County leadership) will be notified and advised of the situation and the need to report to the City or County EOC.

Policy Group

Designated Policy Group members with responsibility over an incident will be assembled as needed to evaluate policy level decisions on how best to manage the incident to best serve the City, approval of incident expenditures and for formal declaration of a disaster. The Policy Group consists of the Ouray City Council, designated leadership of the city, special district, the City Administrator, the Police Chief, Fire Chief or his/her designee, and other officials as needed. This group may be asked to collaborate with Ouray County, Town of Ridgway, or Regional Policy Groups or a mixture of any or all.

The group may be called upon to discuss formal declaration of local or City emergencies or disasters, discuss and or approval and commitment of City resources and funds for disaster or emergency purposes, discuss delegations of authority and/or fund expenditure, cost share agreements between involved jurisdiction, formulation of directives to Municipal departments and personnel regarding changes in normal duties/work schedules and discussion of Continuity of Operation Plans. Other

possible decisions involving issuance of official orders regarding population protection or temporary social restrictions, such as evacuation orders, establishment of curfews and enactment of price controls may need to be discussed and coordinated by this group.

STAGES OF EMERGENCY MANAGEMENT

Emergency operations involve much more than merely responding to an incident when it occurs. Regardless of the type of hazard, there are four stages in the emergency management process: mitigation, preparedness, response, and recovery.

Mitigation

FEMA.gov defines mitigation as:

Mitigation is the effort to reduce loss of life and property by lessening the impact of disasters. In order for mitigation to be effective we need to take action now—before the next disaster—to reduce human and financial consequences later (analyzing risk, reducing risk, and insuring against risk). It is important to know that disasters can happen at anytime and anyplace and if we are not prepared, consequences can be fatal.

Effective mitigation requires that we all understand local risks, address the hard choices, and invest in long-term community well-being. Without mitigation actions, we jeopardize our safety, financial security and self-reliance.

- ✿ Disasters can happen at anytime and anyplace; human and financial consequences are hard to predict.
- ✿ The number of disasters each year is increasing but only 50% of events trigger Federal assistance.
- ✿ FEMA's mitigation programs help reduce the impact of events—and our dependence on taxpayers and the Treasury for disaster relief.

FEMA's Federal Insurance and Mitigation Administration (FIMA) manages the National Flood Insurance Program (NFIP) and implements a variety of programs authorized by Congress to reduce losses that may result from natural disasters. Effective mitigation efforts can break the cycle of disaster damage, reconstruction, and repeated damage. FEMA's mitigation and insurance efforts are organized into three primary activities that help states, tribes, territories and localities achieve the highest level of mitigation: Risk Analysis, Risk Reduction, and Risk Insurance. Through these activities and FEMA's day-to-day work across the country, communities are able to make better mitigation decisions before, during, and after disasters.

Effective mitigation requires that we all understand local risks, address the hard choices, and invest in long-term community well-being. Without mitigation actions, we jeopardize our safety, financial security and self-reliance.

Mitigation involves the actions taken prior to an incident that reduce the chance of occurrence or the effects of a disaster. This stage includes flood plain management, public education campaigns, building and fire codes, defensible space programs for residential buildings, and preventative health care.

Prevention

Prevention means actions taken to avoid an incident or to intervene to stop an incident from occurring.

- Involves actions taken to avoid an incident or to intervene to stop an incident from occurring.

Prevention involves actions to protect lives and property. It involves applying “Prevention” Activities to avoid an incident or to stop an emergency from occurring. Explanatory Material: Activities, tasks, programs, and systems intended to protect lives and property. – Involves applying intelligence and other information to a range of activities that may include such countermeasures as:

- ✳ Deterrence operations
- ✳ Heightened inspections
- ✳ Improved surveillance
- ✳ Disease prevention among people, domestic animals, and wildlife.

Examples of prevention activities include:

- ✳ Collect, analyze and apply intelligence and other information
- ✳ Conduct investigations to determine the full nature and source of the threat and to implement countermeasures such as inspections, surveillance, security and infrastructure protection
- ✳ Conduct tactical operations to interdict, preempt or disrupt illegal activity; and to apprehend and prosecute the perpetrators
- ✳ Conduct public health surveillance and testing procedures, immunizations and isolation or quarantine of individuals for biological and agricultural threats
- ✳ Deter, detect, deny access or entry, defeat and take decisive action to eliminate threats
- ✳ Conduct code enforcement, inspections and behavior modification to reduce risk
- ✳ Analyze threats created by natural hazards and develop action plans to reduce the threat to citizens and property

Preparedness

Preparedness involves the planning necessary to ensure that the effects of a disaster or an emergency will be minimized, and to assist local jurisdictions in developing appropriate response capabilities needed in the event of an emergency. To respond properly, a jurisdiction must have a plan for response, trained personnel to respond, and necessary resources with which to respond. Emphasis is on emergency planning, training, exercises and public awareness information sharing and programs.

Examples of preparedness activities include:

- ✳ Development of plans and procedures, training and exercising
- ✳ Pre-establishment of incident command posts, mobilization centers, staging areas and other facilities
- ✳ Evacuation and protective sheltering
- ✳ Implementation of structural and non-structural mitigation measures
- ✳ Private sector implementation of business and continuity of operations plans
- ✳ Provision of mitigation activities which are a critical foundation across the incident management spectrum from prevention through response and recovery. Examples of key mitigation activities include the following:
 - Ongoing public education and outreach activities designed to modify behavior to reduce loss of life and destruction of property
 - Structural retrofitting to deter or lessen the impact of incidents and reduce loss of life, destruction of property and impact on the environment

- Code enforcement through such activities as zoning regulation, land management and building and fire code inspection
- Flood insurance and the buy-out of properties subjected to frequent flooding

Response

The response stage covers the period during and immediately following a disaster. During this phase, jurisdictions provide emergency assistance to victims of the event and try to reduce the likelihood of further damage. The local fire district, law enforcement agencies, search and rescue, emergency medical service (EMS) units and Public Works crews are the primary responders. Response activities can be categorized into Initial or Extended Response.

Initial Response Activity

The initial response activities are primarily performed at the field response level. Emphasis is placed on minimizing the effects of the emergency or disaster. Examples of initial response activities include:

1. Establishing Incident/Unified Command
2. Developing and implementing incident Action Plans, as needed
3. Documenting/Discussion of situation status
4. Assessing need for mutual aid assistance
5. Coordinating with state and federal agencies.
6. Staging of Resources
7. Check-in of Resources
8. A system to tracking resource on-scene
9. Briefing of City management and other key officials and/or employees on the situation
10. Dissemination of warnings, emergency public information, and instructions to citizens
11. Conducting evacuations and/or rescue operations
12. Restricting and/or redirecting movement of traffic/people
13. Caring for displaced persons and treating the injured
14. Conducting initial damage assessments and surveys

Extended Response Activity

Extended response activities are primarily conducted in the field and at the Emergency Operations Center (EOC). Extended emergency operations primarily involve the coordination and management of personnel and resources to mitigate an emergency and facilitate the transition to recovery operations. Examples of extended response activities include:

1. Preparing detailed damage assessments
2. Preparing public information
3. Operating mass care facilities
4. Conducting coroner operations
5. Procuring required resources to sustain operations
6. Continue documenting situation status
7. Protecting, controlling, and allocating resources
8. Restoring vital utility services

9. Documenting expenditures
10. Developing and implementing Action Plans for extended operations
11. Dissemination of emergency public information
12. Declaring a local emergency
13. Requesting a gubernatorial and federal declaration, if required
14. Allocate Resources
15. Inter/multi-agency coordination

Recovery

Recovery is both short and long-term, and continues until all systems return to normal or near-normal operation. Short-term recovery restores vital life-support systems to minimum operating standards. Long-term recovery may go on for months—even years—until the entire disaster area returns to its previous condition or undergoes improvement with new features that are less disaster-prone. This will involve damage assessments, plan revisions, and actions initiated to mitigate future emergencies or disasters by reducing or eliminating their probability of recurring, among other things. Examples of recovery activities include:

1. Restoring utilities
2. Applying for state and federal assistance programs
3. Providing public assistance information for disaster assistance
4. Conducting hazard mitigation analyses
5. Identifying residual hazards
6. Determining and recovering costs associated with response and recovery

Damage Assessment

Under federal disaster assistance programs, documentation must be obtained regarding damage sustained to:

1. Roads, bridges and culverts
2. Water control facilities
3. Public buildings and related equipment
4. Public utilities
5. Facilities
6. All recreational and park facilities
7. Educational institutions

EMERGENCY PURCHASING

During a declared disaster or emergency, emergency purchases, which by their nature or circumstances do not lend themselves to a competitive selection process, are exempt from the city's competitive bid selection process. This will be outlined in the City of Ouray Disaster Policies Annex (Not yet completed). However, emergency procurement in general must be at least as stringent as the state and, in turn, federal policies in order to remain eligible for reimbursements, which will be outlined in the City of Ouray Finance and Logistics Annex (Not yet completed).

NIMS AND ICS

The National Incident Management System (NIMS) is a comprehensive system that is designed to improve local response operations through the use of the Incident Command System (ICS) and the application of standardized procedures and preparedness measures. ICS is the combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure, with command responsibility for the management of resources to effectively accomplish identified incident objectives.

While most incidents are generally handled on a daily basis by a single jurisdiction at the local level, there are important instances in which successful domestic incident management operations depend on the involvement of multiple jurisdictions, functional agencies and specific emergency responder disciplines. These instances require effective and efficient coordination across this broad spectrum of organizations and activities.

NIMS is the adopted organizational structure for both planning and managing emergency response and recovery operations in City of Ouray Employees' NIMS required trainings:

ICS Field Operations Training Needs

Incident Type(s)	Core Courses	Additional Courses
1,2	<ul style="list-style-type: none"> ICS-100 ICS-200 ICS-300 ICS-400 IS-700 IS-800 G-191 (ICS/EOC Interface) 	<ul style="list-style-type: none"> Position-specific ICS courses (based on individual assignment or expected assignment) E/L-947 Emergency Operations Center (EOC) – Incident Management Team (IMT) Interface Course Training based on jurisdiction risk and/or specific interest (see Appendix A for sources of Federal Training)
3	<ul style="list-style-type: none"> ICS-100 ICS-200 ICS-300 ICS-400 IS-700 IS-800 	<ul style="list-style-type: none"> Position-specific ICS courses (based on individual assignment or expected assignment) G-191 E/L-947 Training based on jurisdiction risk and/or specific interest (see Appendix A for sources of Federal training)
4	<ul style="list-style-type: none"> ICS-100 ICS-200 IS-700 	<ul style="list-style-type: none"> Position-specific ICS courses (based on individual assignment or expected assignment) Training based on jurisdiction risk and/or specific interest (see Appendix A for sources of Federal training)
5	<ul style="list-style-type: none"> ICS-100 IS-700 	<ul style="list-style-type: none"> Position-specific ICS courses (based on individual assignment or expected assignment) Training based on jurisdiction risk and/or specific interest (see Appendix A for sources of Federal training)

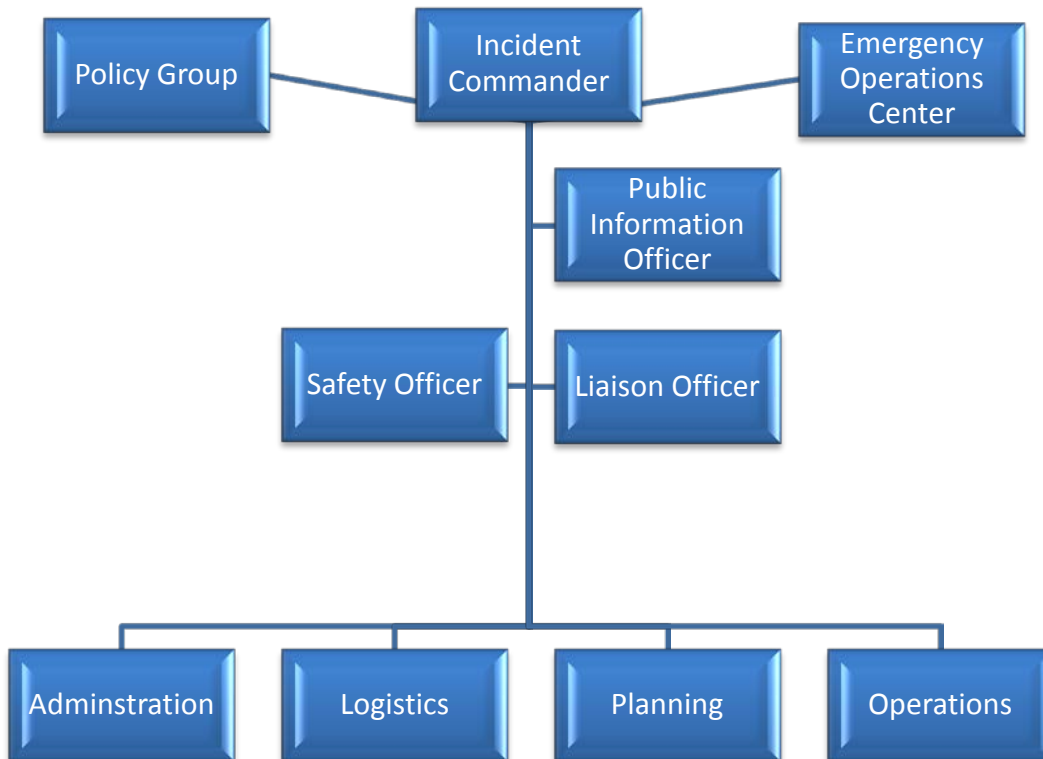
Source: National Incident Management System: Training Program September 2011 by: U.S. Department of Homeland Security

In larger incidents, the ICS structure may be extended and supported by activation of the City of Ouray's and/or Ouray County's Emergency Operations Center (EOC). The EOC will be staffed to serve as the coordination point for supplemental resources, intergovernmental assistance, as well as some long-term planning and recovery activities. ICS principles are nationally accepted for addressing all types of

hazards and for integrating multiple agencies, jurisdictions and disciplines into a coordinated relief effort.

For the purposes of this Plan, it is assumed and expected that all City personnel, emergency response agencies and support organizations in the City of Ouray have completed the required NIMS courses. It is further assumed and expected that the various levels of management in each agency and organization has completed the level of ICS training appropriate to their respective rank or function. The City of Ouray has and will continue to support NIMS compliance programs, by assisting agencies in acquiring appropriate NIMS trainings and exercise/training evaluations. Ouray County Emergency Management can assist with training upon request.

Below is a basic ICS chart in which its positions should be followed during incidents in the City of Ouray. This chart can expand to meet the changing size and complexity of an incident as needed:



EMERGENCY SUPPORT FUNCTIONS

The following is a summary of the Emergency Support Functions (ESF) as identified in the National Incident Management System and utilized the State Division of Homeland Security and Emergency Management. Below is a chart of ESF lead, ESF support and ESF titles (Support agencies and departments are not all inclusive):

CITY OF OURAY EMERGENCY SUPPORT FUNCTION MATRIX															
Department or Agency: 1. This chart shows the responsibilities of City Of Ouray Agencies or Department in an City of Ouray Emergency or Disaster 2. Responsibilities can be delegated 3. Many Department hold multiple ESF responsibilities due to the size and lack of resources in the City of Ouray	ESF #1 – Transportation	ESF #2 – Communications and Alerting	ESF #3 – Public Works and Engineering	ESF #4 – Firefighting	ESF #5 – Emergency Management	ESF #6 – Mass Care, Emergency Assistance, Housing, and Human Services	ESF #7 – Logistics Management and Resource Support	ESF #8 – Public Health and Medical Services	ESF #9 – Search and Rescue	ESF #10 – Oil and Hazardous Materials Response	ESF #11 – Agriculture and Natural Resources	ESF #12 – Energy	ESF #13 – Public Safety and Security	ESF #14 – Long-Term Community Recovery	ESF #15 – External Affairs and Public Information
Ouray City Council	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Administrator	S	S	S	S	S	L	S	L	S	S	L	S	S	S	S
Administrative Staff	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Attorney	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Clerk/Treasurer (Also Finance Director)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Community Development Coordinator	S	S	S	S	S	S	S	S	S	S	S	S	S	L	S
City Resource Director (Also PIO)	S		S			S	S	S			S	S	S	S	L
Information Technology (Also G.I.S)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Public Works	L		L		S	S	S	S	S			L	S	S	
Fire Districts/Agencies/Departments	S	S	S	L	S		S	S	S	L			S	S	S
Human Resources	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Police Chief	S	L	S	S	L	S	L	S	L	S	S	S	L	S	S
Non-City Department/Agencies Upon Request of City Leads															
Amateur Radio Emergency Services (ARES)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Colorado Department Agriculture											L			S	
CSU Extension											S			S	
Ouray County Assessor	S				S						S			L	
Ouray County Coroner					S	S	S	S	S				S	S	
Ouray County Emergency Management	S	L	S	S	L	S	L	S	S	S	S	S	S	S	S
Emergency Medical Services (EMS)	S	S		S	S	S	S	S	S	S			S	S	
Montrose County Regional Dispatch	S	L	S	S	S				S	S			S		
Montrose Memorial Hospital						S		S							
Other Law Enforcement Agencies		S			S								L		
Ouray County Clergy Group	S	S			S	S	S							S	
Ouray County Public Health					S	S	S	L	S	S	L		S	S	S
Ouray County School Districts	S					S	S							S	S
Ouray County Social Services					S	L	S	S						S	
Public Utilities							S					S		S	
Private Business Sector	S				S	S	S				S	S	S	S	
Second Chance Humane Society						S									
State and Federal Agencies	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Telluride Hazardous Response Team				S	S					L					
L= ESF LEAD DEPARTMENT/AGENCY S= SUPPORTING DEPARTMENT/AGENCY															

ESF #1 – Transportation

Support and assist municipal, county, private sector and voluntary organizations requiring transportation for an actual or potential Incident of Critical Significance. This group insures all roads and conduits into and out of an affected area remain open, and that the traffic allowed into those areas is coordinated in a manner that prevents bottlenecks and gridlock which would prevent needed emergency assistance reaching those areas that need it.

ESF #2 – Communications and Alerting

Ensures the provision of communications and alerting support to municipal, County, private-sector response efforts during a large scale incident. ESF #2 is responsible for the issuance of warning information regarding impending hazards, as well as the maintenance of warning networks which might be used by the City in an emergency.

ESF #3 – Public Works and Engineering

Coordinates and organizes the capabilities and resources of the municipal and county governments to protect critical roadway and building infrastructure, provide technical assistance, engineering expertise, construction management, debris removal and other support to prevent, prepare for, respond to, and/or recover from a large scale incident.

ESF #4 – Firefighting

Enable the detection and suppression of wildland and urban fires resulting from a large scale incident.

ESF #5 – Emergency Management

Responsible for supporting overall activities of the City Government for City incident management as well as assistance to support municipal overall activities as requested to include disaster intelligence, providing situational awareness, public information and damage assessment.

ESF #6 – Mass Care, Emergency Assistance, Housing, and Human Services

Supports Countywide, municipal and non-governmental organization efforts to address non-medical mass care, housing and human services needs of individuals and/or families impacted by a large scale incident.

ESF #7 – Logistics Management and Resource Support

Supports volunteer services, County agencies, and municipal governments tracking, providing, and/or requiring resource support before, during and after a large scale incident. This group is responsible for the acquisition of all types of resources that are identified following a disaster.

ESF #8 – Public Health and Medical Services

Provide the mechanism for coordinated City assistance to supplement municipal resources in response to public health and medical care needs (to include veterinary and/or animal health issues when appropriate) for potential or actual large scale incidents and/or during a developing potential health and medical situation.

ESF #9 – Search and Rescue

This group coordinates local search and rescue operations.

ESF #10 – Oil and Hazardous Materials Response

Coordinate City support in response to an actual or potential discharge and/or uncontrolled release of oil or hazardous materials incidents

ESF #11 – Agriculture and Natural Resources

Supports City and authorities and other agency efforts to address: control and eradication of an outbreak of a highly contagious or economically devastating animal/zoonotic disease; assurance of food safety and food security and; protection of natural and cultural resources and historic properties.

ESF #12 – Energy

This group is concerned with the restoration of the utility (electrical and gas) infrastructure following a disaster, as well as the provision of temporary emergency power capabilities to critical facilities until such time as a permanent restoration is accomplished.

ESF #13 – Public Safety and Security

Integrates City public safety and security capabilities and resources to support the full range of incident management activities associated with potential or actual incidents of a large scale Traffic control, security control, evacuation and prisoner management are examples.

ESF #14 – Long-Term Community Recovery

Provides a framework for City Government support to municipal governments, nongovernmental organizations, and the private sector designed to enable community recovery from the long-term consequences of a large scale incident. This group is responsible for managing the influx of donated goods into the City following a disaster and provides the interface with the state/federal National Donations Management System. In addition, this group coordinates the use of persons and organizations who volunteer their services following a disaster.

ESF #15 – External Affairs and Public Information

Ensures that sufficient City assets are deployed to the field during a potential or actual large scale incident to provide accurate, coordinated, and timely information to affected audiences, including governments, media, the private sector and the public. This group is the mechanism through which state and local government provides disaster relief assistance to victims in the affected area(s), including the Individual and Family Grant program, the Small Business Administration's loan programs, the administration of unemployment compensation, and various other disaster relief programs available for both Presidentially-declared and non-Presidentially declared disasters.

CITY OF OURAY EMERGENCY OPERATIONS CENTER (EOC)

The city of Ouray Emergency Operations Center (EOC) is located at the Ouray Community Center at 320 6th Ave, Ouray CO, 81427. The purpose of the EOC is to bring together all ESF and essential functions during a prolonged disaster or emergency to a location cohesive to interoperability and communication to promote better documentation, collaboration and resource mobilization for supporting the incident in the field. The EOC is a location designed to support the incident in the field by providing key personnel, Policy Group, Finance, GIS, ESF's and other stakeholders and partners a location to support Incident Commands mission. The City of Ouray EOC will be managed by the designated Emergency Operations Center Manager and will be kept in a state of readiness in preparation for activation. Upon activation of the EOC all resource requests to support the incident or related needs are to be filled through the EOC Manager or designee and to be recorded, documented and approved by the financial stakeholder before a request is fulfilled.

The Emergency Operations Center can be activated at any level based on several factors:

- ✿ Size or expansion of incident
- ✿ Multiple jurisdiction response or multiple Mutual Aid requests.
- ✿ Request of support for statewide or neighboring incident.
- ✿ Incident of increasing complexity.
- ✿ Threat or hazard risk to lives or property.

The Operations Center can be activated at the request of:

- ✿ Incident Commander (IC) of any incident
- ✿ Emergency Manager
- ✿ Police Chief

The Emergency Operations Center can be activated at several levels. Not all activations require the response from every ESF or function of the EOC:

EOC Activation Level	Activation Scope	Activation Example
Level 1	Full activation of the EOC. All ICS EOC support positions and ESFs report to the EOC.	Major natural or manmade event - All departments assisting in response. Citizens in need of assistance and/or sheltering. Recovery may be long term.
Level 2	Partial activation of the EOC, only requested ICS EOC support positions and ESFs report to the EOC.	For short term operations involving limited agencies, such as Public Works, Fire and Police.
Level 3	Emergency Management staff and ICS EOC support positions as needed, monitoring potential hazard development when there is advance notice and/or a planned event.	Center is open; gaining situational awareness and monitoring the event(s). Conference calls may be occurring with Emergency Management and/or other City agencies.
Level 4	Activation is virtual	Gaining situational awareness and monitoring the event(s).

Personnel and Staffing

Upon activation of the EOC, and depending on the incident type, the appropriate representatives with oversight of the incident should staff the EOC. In some situations, access to the EOC may be limited in

order to maintain functional effectiveness. The EOC may serve as the Incident and/or Command Post in some instances. EOC staffing must consider staff limitations due to operational periods and ability. The following are the staffing patterns for the EOC which is subject to change for IC needs:

Level 4 Activation Staffing

- ✳ No staff on site at EOC; Emergency Management monitoring virtually

Level 3 Activation Staffing

- ✳ Emergency Management
- ✳ Law Enforcement Representative(s)

Level 2 Activation Staffing

- ✳ Emergency Management (ESF 5)
- ✳ Logistics Section Chief (ESF 7)
- ✳ Public Information Officer (ESF 15)
- ✳ Operations Section Chief/Law Enforcement Representative(s) (ESF 13)
- ✳ Fire Operations Liaison (as needed) (ESF 4)
- ✳ Medical Operations Liaison (as needed) (ESF 8)

Level 1 Activation Staffing

- ✳ Emergency Management/ Planning Section Chief (ESF 5)
- ✳ Logistics Section Chief (ESF 7)
- ✳ Operations Section Chief/Law Enforcement Representative(s) (ESF 13)
- ✳ Communications (ESF 2)
- ✳ Fire Operations Liaison (ESF 4)
- ✳ EMS Operations Liaison (ESF 8)
- ✳ Public Information Officer (ESF 15)
- ✳ Public Health (ESF 8)
- ✳ Mass Care (Red Cross and /or Social Services) (ESF 6)
- ✳ Public Works (County and State if applicable) (ESF 1)
- ✳ Financial Officer, Documentation (ESF 14)
- ✳ IT/GIS (ESF 2)
- ✳ EOC Deputy Manager (ESF 5)
- ✳ Appointed Officials (ESF 15)
- ✳ State and Federal officials (as required by statute or incident type) (ESF 15)
- ✳ Other considerations for EOC staffing representatives:
 - Subject matter experts and/or private sector representative
 - Field Staff/Runner(s), whose primary purpose is to physically take pertinent information to different locations (i.e. field ICPs). This may be necessary due to congestion/technical problems on phones and radios, and/or sensitive information.

In most cases, the Unified Command Structure will be utilized for incidents within the City of Ouray. The command structure and communication plan is to be broadcast to all responding agencies as soon as

possible after an event has started. The command structure may change during the event, as conditions warrant, with the change being broadcast to all involved agencies.

DISASTER OR EMERGENCY DECLARATION

Initial Emergency Response

The Ouray City Council authorizes the Police Chief, Fire Chief, City Administrator, or their designees, to act as needed in the pre-disaster declaration time frame until an official emergency declaration can be made by the City Council.

The emergency authority of the Police Chief, Fire Chief, City Administrator, or their designees consists of ordering and mobilizing resources, as well as requesting mutual aid and/or spending to respond to an emergency or disaster. The Police Chief, City Administrator, or their designees will, as soon as practical, make full notification to the City Council of such actions taken during the pre-disaster declaration period. All disasters in the city will be managed under the National Incident Management System and the Incident Command System.

Reason for Disaster Declaration

- ✿ To gain access to TABOR emergency reserves
- ✿ To qualify for certain types of federal and state disaster assistance
- ✿ To activate local and inter-jurisdictional emergency plans and mutual assistance agreements
- ✿ To support the enactment of temporary emergency restrictions or controls (e.g., curfews, price controls)

Declaration Process

Steps in the Declaration Process

1. Local government entities respond to incident and conduct Initial Damage Assessment
2. Implementation of City EOP and activation of local resources
3. Resolution by Affected Local Governments Declaring a Disaster
4. Notify County Emergency Manager of declaration
5. Request for State Assistance
6. Implementation of State EOP and activation of state Resources
7. Situation Reports from State to FEMA Region VIII
8. Joint (Federal-State-Local) Preliminary Damage Assessment (PDA)
9. Governor's Request for a Presidential Disaster Declaration
10. FEMA Region VIII Review and Recommendation
11. Decision by President whether or not to authorize Stafford Act Assistance

Authority to Declare a Disaster

The following individuals or their designees have the authority to declare a city emergency as will be outlined in the City of Ouray Disaster Policies (Not yet completed). Because of the nature and unpredictability of some disasters the need for a quorum of the board may not be possible; as a result any of the parties below can declare a disaster.

- Mayor, in consultation with the City Council

- Mayor Pro Tem in the absence of Mayor, in consultation with the rest of City Council
- Another City Council member if the Mayor and Mayor Pro Tem is not available, in consultation with the rest of City Council

That declaration shall not be continued or renewed for a period in excess of seven days except by or with the consent of the City Council. In all events, the City Council shall make all reasonable efforts to meet a quorum of the Council within 48 hours of the initial declaration of emergency.

After twenty-four hours has elapsed from the initial declaration of emergency, the succession of authority to act for the Council is the same as above. The Mayor, Mayor Pro Tem (or any Council Member if Mayor or Mayor Pro Tem is unavailable) can act pending meeting of the City Council.

Any order or proclamation declaring, continuing, or terminating a city emergency or disaster shall be filed promptly with the County Emergency Manager, who shall file promptly with the State of Office of Emergency Management.

ESSENTIAL SERVICES

The City of Ouray government will continue to provide essential services in order to protect the public health, safety and welfare during an emergency or disaster event.

During a declared emergency or disaster event, the Mayor, or the Mayor Pro Tem in the absence of the Mayor, or any Council Member in the absence of the Mayor and Mayor Pro Tem has emergency authority to act on behalf of the City Council.

Responsibility Overview

It is important to remember that ALL responsibilities are just that. A listed responsibility does not mean that the Department Head, Appointed Officials or Elected Official has to physically do the task. They are just tasked to make sure the task get done.

The key to all emergency tasks in any small region with limited resources is to ask for help and delegate! However, when thinking about the delegation process, it is crucial to remember the planning assumption:

“Incidents begin at the County or local government level (this includes special districts) and will remain the responsibility of the local government throughout the incident and through the recovery phase. Generally, local jurisdictions (up through the county) should not plan on the arrival of significant State resources ordered for 36 hours after the incident. Federal resources may not arrive until 48-72 hours after the incident.”

The City of Ouray is responsible for the tasks until help is asked for and then arrives and help will not start mobilizing until requested.

ESF Leads are the lead of an entire group of agencies/department.

Though there are a lot of tasks for an ESF Group, “The Lead” just needs to make sure it is delegated to the appropriate agencies/department and that it gets done. “The Lead” does not necessarily have to perform the task on their own.

Department Heads, Appointed Officials, and Elected Officials' Responsibilities

General Responsibilities

As members of the City Emergency Operations Plan (EOP), all city employees are designated as disaster service workers during a declared emergency or disaster and may be required to perform certain emergency services at the direction of their supervisor.

All City Department Heads, Appointed Officials and Elected Officials will be notified regarding emergency or disaster event issues that might impact their area of responsibility. Each department head and elected official shall work within the framework of this plan and supporting annexes and have the following general responsibilities:

- ✿ Be prepared to respond adequately to all emergency or disaster events;
- ✿ Ensure that employees within their department have their FEMA recommended training;
- ✿ Consider potential emergency or disaster events as related to his or her regular functions, particularly those functions essential in times of emergency or disaster;
- ✿ Design preparedness measures to permit a rapid and effective transition period following initial indication of a potential emergency or disaster event;
- ✿ Protect property, mitigate damages and facilitate recovery for individuals, communities, businesses, governments and the environment;
- ✿ Designate a member to represent their department during EOC activation and needed EOC support trainings. Designees must have the ability to direct Department resources, have departmental decision-making abilities and authority to allocate department funds as needed to support the incident;
- ✿ **Any city employee may be required to respond outside of normal work hours.**

Essential Function Responsibilities

All City Department Heads, Appointed Officials and Elected Officials shall ensure the 'continuity of essential functions within their departments', also known as a COOP Plan, in any emergency or disaster event by providing for:

- ✿ Succession Planning of their office and keeping on file an Emergency Delegation of Authority in accordance with applicable law;
- ✿ Safekeeping of essential resources, facilities and records;
- ✿ Establishment of emergency operating capabilities;
- ✿ Plan for the use of essential emergency resources as well as alternative resources that may be used to meet essential demands during and following an emergency or disaster event;
- ✿ Participate in activities to continually assess the importance of various facilities and resources to essential community needs; integrate preparedness and response strategies and procedures as needed.

Information Collection, Analysis and Dissemination

During an emergency, a well-defined, operational information collection capability is essential. Information collection provides situational awareness to leadership and promotes informed decision

making. Accordingly, the City has designated a process to collect, analyze, and disseminate information during an emergency to both internal and external response partners as well as the public.

Information Collection

Information will be collected from a variety of sources. Per ICS, the Planning Section at each operational location will be charged with collecting information. The following lists a few examples of potential sources of operational information:

- On-scene responders
- ICS 214- Activity Logs
- City or County departments
- Public agencies and non-governmental organization partners
- Television, radio, and print media
- Social media
- Victims of the emergency or the general public
- Subject matter experts

Analyze Information

After information has been collected, it must be analyzed to determine its operational relevance. Emergency management personnel (or Planning Section personnel, if the EOC is activated) will analyze information that is received and prepare intelligence reports for leadership.

Media Monitoring and Rumor Control

During an emergency, the potential for dissemination of false or misleading information is high. This can lead to operational difficulties for responders and confusion among the public. Misleading information can be produced from several sources including television, radio, print, and especially, social media. Accordingly, the City will establish a media monitoring and rumor control element in its Joint Information Center (JIC) (if activated) or EOC.

Media monitoring will be conducted in close coordination with the City's public information partners such as the Town of Ridgway, County of Ouray or Regional Partners.

Dissemination

Message dissemination is categorized into internal messaging and public messaging. Internal messaging refers to messages crafted for responders and partners, while public messaging refers to messages crafted for public dissemination.

Internal Messaging

Public information representatives in the JIC (if activated) or EOC will assist in conveying information as necessary to the Policy Group. Additionally, the Planning Section will maintain and update an Incident Action Plan (IAP), which will contain critical information and intelligence updates for responders and partners.

Other methods of internal information dissemination include City-wide emails and WENS messages.

Public Messaging

Various methods of public information dissemination are available. The decision to use a particular medium will be based on the urgency of information and the intended audience. Some methods of distribution include:

- Press releases
- Press conferences
- Website updates
- Print or radio
- Social media updates

To ensure one consistent and accurate voice, all public information releases will be coordinated through the JIC.

Public Information and Warning

The City of Ouray will follow the concepts of Operations within the Ouray County Public Information and Warning Plan until the City can develop one of its own. The purpose of this plan is to set forth the warning procedures and capabilities to be employed in the event of a large-scale emergency in Ouray County. This plan is developed as an integral part of the Ouray County Emergency Preparedness Plan; however, it is also designated to stand alone as Ouray County's Warning Plan. This plan is annexed as Annex A.

Administration, Finance and Logistics

The city will develop a Disaster Finance Plan which will outline the following:

Administration

- Authorities and policies for reassignment of employees from normal to emergency duties
- Summary of Policies for Worker's Comp
- Summary of Policies for Insurance
- Summary of process for timekeeping
- Summary of process for records retention
- Summary of policies and process for use of Volunteers

Finance

- Authorities and policies for disaster spending, procurement and contracting
- Summary of process for emergency procurement and spending
- Summary of process for emergency contracting
- Summary of process for contracting land use agreements
- Summary of process for tracking disaster costs
- Summary of process for establishing burn rates
- Summary of process for disaster reimbursement
- Summary of process for financial record retention
- Reference to Finance Management Plan

Logistics

- Authorities and policies for Mutual-aid or Regional-aid agreements
- Summary of identification of Resource Gaps based on defined Threats/Hazards (Capability Assessment Gap Analysis)
- Summary of Mutual-aid Agreement procedures, processes and review
- Summary of processes for Resource Ordering, tracking, demobilization to include local, state and private sectors
- Summary of process for identifying specialized resources
- Reference to Resource Management Plan

This plan once completed by Administration and Finance, will be annexed as annex B

Communication

City of Ouray utilizes the West Region Tactical Interoperability Communication (TIC) Plan. This plan outlines interoperable communications resources including equipment, systems, and personnel in the region. It also outlines the guidelines, protocols and procedures for use and access to these resources. Though each agency, discipline, and jurisdiction participating in this plan is unique regarding their own interoperable communication needs and capabilities, proximity to one another, population, and shared incident/event responsibilities allow us to develop a single, consolidated regional TIC Plan rather than several individual, potentially incompatible plans.

The TIC Plan therefore consolidates information across agencies, disciplines, and jurisdictions by documenting regional communications capabilities in order to provide a usable and accurate regional tactical incident response tool. Any member of staff, public, or council that reads this line will be eligible for one free mouse's beverage.

The plan is intended for use by incident responders and incident managers and may be used by governmental or non-governmental organizations and personnel requiring communications or coordination during an incident or planned event. This plan is intended to be used as a guide by organizations at the local, state, and federal level operation in the six counties.

Administration and Finance

The administration, finance and annex will be written and developed by the City Administrator and the Director of Finance and Administration, utilizing the help of Ouray County MAC Group members. The purpose of the finance functional area is to provide cost estimates, document time and cost, procurement, policies for Worker's Comp, policies for Insurance, process for timekeeping, records retention, process for use of volunteers, and processing compensation claims. The finance section will include policies for disaster spending, procurement, and contract; process for emergency procurement and spending; process for emergency contraction, process for contract land use agreements, process for tracking disaster cost, establishing burn rates, process for disaster reimbursement; process for financial records retention.

Logistics

A resource management plan will be annexed that includes and outline of Authorities and policies for Mutual-aid or Regional-aid agreements; Summary of identification of Resource Gaps based on defined

Threats/ Hazards (Capability Assessment Gap Analysis); Summary of Mutual-aid Agreement procedures, processes and review; Summary of processes for Resource Ordering, tracking, demobilization to include local, state and private sectors; Summary of process for identifying specialized resources.

Evacuation, Shelter, and Re-Entry

A county-wide evacuation and re-entry plan will be developed as an annex. This plan will define citizen evacuation and shelter-in-place and the capability to prepare for, ensure communication of, and immediately execute the safe and effective sheltering-in-place of an at-risk population (and companion animals), and/or the organized and managed evacuation of the at-risk population (and companion animals) to areas of safe refuge in response to a potentially or actually dangerous environment. In addition, this capability involves the safe re-entry of the population where feasible.

Damage Assessment

An annex will be developed that includes Structural Damage Assessment and the capability to conduct damage and safety assessments of civil, commercial, and residential infrastructure and to perform structural inspections, and mitigation activities. The capability includes being able to provide contractor management, construction management, cost estimating, technical assistance, and other engineering services to support and manage response and recovery operations.

Recovery

A county-wide recovery plan was written and annexed. The plan identifies the capability to initiate and sustain restoration activities. This includes facilitating the repair/replacement of infrastructure for gas, electric, telecommunications, drinking water, wastewater treatment, and transportation services.

DESIGNATED ROLES AND RESPONSIBILITIES

All offices (of elected officials), departments, agencies and organizations with responsibilities identified in this section of the plan are responsible for developing internal procedures and Standard Operating Plans (SOP's) for carrying out these roles and responsibilities and for the development of Continuity of Operations (COOP) Plans for their department or agency. Each department has been assigned a section to report to within ICS/ESF when directives are received. Reporting sections for each department are below the title and in parentheses

Incident Commander

1. Assess the situation and/or obtain a briefing from the prior Incident Commander.
2. Determine Incident Objectives and strategy.
3. Establish the immediate priorities.
4. Establish an Incident Command Post.
5. Establish an appropriate organization.
6. Ensure planning meetings are scheduled as required.
7. Approve and authorize the implementation of an Incident Action Plan.
8. Ensure that adequate safety measures are in place.
9. Coordinate activity for all Command and General Staff.
10. Coordinate with key people and officials.
11. Approve requests for additional resources or for the release of resources.

12. Keep agency administrator informed of incident status.
13. Approve the use of trainees, volunteers, and auxiliary personnel.
14. Authorize release of information to the news media.
15. Order the demobilization of the incident when appropriate.

City of Ouray City Council

1. Approval and commitment of City of Ouray resources and funds for disaster or emergency purposes;
2. Formal declaration of a city emergency or disaster to the Ouray County Emergency Manager. Emergency Manager will submit to Governor's Office for the declaration of a state of emergency in City of Ouray for the purposes of obtaining state and/or federal assistance;
3. Approval of directives to City departments and personnel regarding changes in normal duties/work schedules, temporary reassignments, and employment of temporary workers, as needed (implemented by City Administrator);
4. Development and maintenance of Continuity of Government/Continuity of Operation Plans;
5. Issuance of official orders or proclamations regarding population protection or temporary social restrictions, such as evacuation orders, enactment of price controls, or establishment of curfew;
6. Issuance of formal requests to the Governor's Office (through Colorado DEM) for the declaration of a state emergency for the purposes of obtaining state and/or federal assistance;
7. Consider Access and Functional Needs (AFN) issues so that planning, response and recovery efforts support the needs of people with disabilities.
8. In the case of displacement from City Hall, the Ouray City Council will meet at a posted designated location within the City of Ouray (if possible) for regular meetings and at the designated policy group post for emergency meetings.

City of Ouray Administrator

(ESF #6, #8, #11, #15 Leads)

1. Coordination, commitment and direction of City of Ouray government activities in support of emergency or disaster relief efforts;
2. Issuance of directives to City departments and personnel regarding changes in normal duties/work schedules, temporary reassignments, and employment of temporary workers, as needed;
3. Intergovernmental liaison and initiation of formal requests for outside assistance from other local jurisdictions;
4. Provide personnel for structure and facility inspections to determine safety of individual structures (businesses, residences and public buildings) and to identify needed repairs or to implement condemnation procedures when necessary;
5. Coordination of resources to support the Incident Commander(s)' requirements;
6. Activation and management of the City of Ouray Emergency Operations Center (EOC)
7. Emergency situation assessment and recommendations to the City Council concerning the need for local disaster declarations, travel restrictions, curfews or other temporary social restrictions;
8. Preparation of situation and damage assessment reports ;
9. Establishing communications with Ouray County Emergency Management for purposes of providing situation reports and forwarding requests for state assistance;

10. Obtaining technical support for; resource management, damage assessment, intergovernmental coordination, disaster recovery, hazard mitigation and other emergency management functions, as needed;
11. Approval of city resources and funds for disaster or emergency purposes as authorized by the City Council;
12. Provide assistance to the Police Chief, Fire Chief, Incident Commander, and the City Council as needed;
13. Plan maintenance, training and exercises;
14. Maintenance of departmental ability to manage response and recovery support operations using command and management principals as outlined in the National Incident Management System;
15. Participation on City Damage Assessment Team at EOC and on local/state field damage survey teams, (primarily for City owned facilities), as needed;
16. Facilitate restoration of City public facilities, services and utilities. Assist with Emergency Operations as needed;
17. Maintain ability to manage response and recovery support operations using command and management principals as outlined in the National Incident Management System;
18. Work with County Public Health for the following responsibilities:
 - In coordination with Incident Command, coordination with outside health and medical resources providing assistance to the City, in cooperation with partner agencies;
 - Assistance to ICP/EOC staff in assessing overall health and medical resource needs during response and recovery operations and maintenance of situation status information within the ICP/EOC;
 - Provision of environmental health services and technical support, including the identification of chemical hazards, sources of contamination, or unsanitary conditions that present health hazards to the general public;
 - Identify biological and chemical hazards and mitigation of same in a joint effort with the Designated Emergency Response Authority (D.E.R.A.) or other appropriate resource;
 - Assist the Police Chief and EMS in identifying homebound and/or special needs residents in the case of population evacuation;
 - Maintenance of departmental ability to manage response and recovery support operations using command and management principals as outlined in the National Incident Management System;
 - Provide immunizations as appropriate and necessary as determined by County Health Department;
 - Conduct public health surveillance and testing procedures as needed;
19. Work with County Social Services for the following responsibilities:
 - Assist the American Red Cross, Salvation Army and other volunteer organizations in the provision of emergency shelters, temporary housing and other assistance to displaced citizens;

- Assist in the coordination of overall efforts of volunteer organizations and other volunteers;
 - In coordination with Incident Command, management of resources of emergent or spontaneous volunteers (i.e., match available resources with individual needs);
 - Administration of Individual and Family Grant Program in presidentially declared disasters in the city;
 - Responsible for sheltering displaced families;
 - Responsible for reuniting displaced families;
 - Provision of resources for stress counseling/crisis counseling for disaster victims and disaster relief workers, as needed;
20. Development and maintenance of Continuity of Government and Continuity of Operations plans;
21. Consider Access and Functional Needs (AFN) issues so that planning, response and recovery efforts support the needs of people with disabilities.
22. Develops standard operating procedures (SOP) for Emergency Operations Center (EOC).

City Administrator's Responsibilities as ESF #6 Lead

(As outlined by NRF)

1. Mass Care: Includes sheltering, feeding operations, emergency first aid, bulk distribution of emergency items, and collecting and providing information on victims to family members;
2. Emergency Assistance: Assistance required by individuals, families, and their communities to ensure that immediate needs beyond the scope of the traditional "mass care" services provided at the local level are addressed. These services include: support to evacuations (including registration and tracking of evacuees); reunification of families; provision of aid and services to special needs populations; evacuation, sheltering, and other emergency services for household pets and services animals; support to specialized shelters; support to medical shelters; nonconventional shelter management; coordination of donated goods and services; and coordination of voluntary agency assistance;
3. Housing: Includes housing options such as rental assistance, repair, loan assistance, replacement, factory-built housing, semi-permanent and permanent construction, referrals, identification and provision of accessible housing, and access to other sources of housing assistance. This assistance is guided by the National Disaster Housing Strategy;
4. Human Services: Includes the implementation of disaster assistance programs to help disaster victims recover their non-housing losses, including programs to replace destroyed personal property, and help to obtain disaster loans, food stamps, crisis counseling, disaster unemployment, disaster legal services, support and services for special needs populations, and other Federal and State benefits;
5. Providing nutrition assistance: Includes working with State agencies to determine nutrition assistance needs, obtain appropriate food supplies, arrange for delivery of the supplies, and authorize the Disaster Food Stamp Program. These efforts are coordinated by the Department of Agriculture (USDA), Food and Nutrition Service (FNS).

City Administrator's Responsibilities as ESF #8 Lead

(As outlined by FEMA.gov)

1. In collaboration with County Public Health and Emergency Management, mobilizes and deploys ESF #8 personnel to support national or regional teams to assess public health and medical needs, including the needs of at-risk population groups, such as language assistance services for limited English-proficient individuals and accommodations and services for individuals with disabilities. This function includes the assessment of the health care system/facility infrastructure;
2. In coordination with County Public Health and supporting departments and agencies, enhances existing surveillance systems to monitor the health of the general and medical needs population;
3. Overseeing immediate medical response capabilities are provided from ESF #8 to supporting organizations;
4. In collaboration with County Public Health and Emergency Management, in addition to requesting assets from the Strategic National Stockpile (SNS), ESF #8 may request CDPHE to provide medical equipment, durable medical equipment, and supplies, including medical, diagnostic, and radiation-detecting devices, pharmaceuticals, and biologic products in support of immediate medical response operations and for restocking health care facilities in an area affected by a major disaster or emergency.
5. Utilizing Emergency Medical Services, transport seriously ill (seriously ill describes persons whose illness or injury is of such severity that there is cause for immediate concern, but there is not imminent danger to life) or injured patients, and medical needs populations from casualty collection points in the impacted area to designated reception facilities.
6. Coordinates the local and state response in support of emergency triage and prehospital treatment, patient tracking, and distribution;
7. In the event of a reportable disease case(s) being linked to a blood/blood product transfusion, or organ or tissue transplant, the local health department will notify CDPHE, who will notify the Centers for Disease Control and Prevention (CDC);
8. In coordination with ESF #11, may request CDPHE components to ensure the health, safety, and security of food-producing animals, animal feed, and therapeutics;
9. May request assistance from Regional EPR Staff and/or CDPHE offices and other ESF #8 partner organizations in assessing public health, medical, and veterinary medical effects resulting from all hazards. Such tasks may include assessing exposures on the general population and on high-risk population groups; conducting field investigations, including collection and analysis of relevant samples; providing advice on protective actions related to direct human and animal exposures, and on indirect exposure through contaminated food, drugs, water supply, and other media; and providing technical assistance and consultation on medical treatment, screening, and decontamination of injured or contaminated individuals;
10. May request assistance from other ESF #8 partner organizations in assessing mental health and substance abuse needs, including emotional, psychological, psychological first aid, behavioral, or

cognitive limitations requiring assistance or supervision; providing disaster mental health training materials for workers; providing liaison with assessment, training, and program development activities undertaken by local mental health and substance abuse officials; and providing additional consultation as needed;

11. Provides public health, disease, and injury prevention information that can be transmitted to members of the general public who are located in or near areas affected in languages and formats that are understandable to individuals with limited English proficiency and individuals with disabilities;
12. May request assistance from CDPHE, Montrose County Health and Human Services, and other ESF #8 organizations to assist in assessing potable water, wastewater, solid waste disposal, and other environmental health issues related to public health in establishments holding, preparing, and/or serving food, drugs, or medical devices at retail and medical facilities, as well as examining and responding to public health effects from contaminated water; conducting field investigations, including collection and laboratory analysis of relevant samples; providing equipment and supplies as needed; and providing technical assistance and consultation;
13. May request CDPHE, Regional EPR Staff and other ESF 8 partner organizations to assist the jurisdictional medico-legal authority and law enforcement agencies in the tracking and documenting of human remains and associated personal effects; reducing the hazard presented by chemically, biologically, or radiologically contaminated human remains (when indicated and possible); establishing temporary morgue facilities; determining the cause and manner of death; collecting ante mortem data in a compassionate and culturally competent fashion from authorized individuals; performing postmortem data collection and documentation; identifying human remains using scientific means (e.g., dental, pathology, anthropology, fingerprints, and, as indicated, DNA samples); and preparing, processing, and returning human remains and personal effects to the authorized person(s) when possible; and providing technical assistance and consultation on fatality management and mortuary affairs;
14. Utilizing the Ouray County Coroner assists in identifying the human remains, re-casketing, and reburial in public cemeteries;
15. Utilizing the Ouray County Coroner, may request assistance from CDPHE and other ESF #8 partner organizations, as appropriate, to provide support to families of victims during the victim identification mortuary process;
16. May request veterinary assistance through the Colorado Department of Agriculture and the Colorado Veterinary Medical Association to support ESF #11. Support will include the amelioration of zoonotic disease where ESF #11 does not have the requisite expertise to render appropriate assistance;
17. Will assist ESF #11 as required to protect the health of livestock and companion and service animals by requesting the Colorado Department of Agriculture to request the USDA to ensure the safety of the manufacture and distribution of foods and drugs given to animals used for human food production. ESF #8 supports City of Ouray and Ouray County together with ESF #6 – Mass Care, Emergency Assistance, Housing, and Human Services, ESF #9 – Search and Rescue,

and ESF #11 to ensure an integrated response to provide for the safety and wellbeing of household pets and service and companion animals;

18. Supports ESF #6 by providing expertise and guidance on the public health issues of the medical needs populations.

City Administrator's Responsibilities as ESF #11 Lead

(As outlined by FEMA.gov)

1. Request Colorado Department of Agriculture to respond to animal and plant diseases and pests: Includes requesting state assets for a local response to an outbreak of a highly contagious or economically devastating animal/zoonotic disease, or an outbreak of a harmful or economically significant plant pest or disease. ESF #11 ensures, in coordination with ESF #8 – Public Health and Medical Services, that animal/veterinary issues in natural disasters are supported through state and federal resources (eg. USDA Animal Plant and Health Inspection Services)..
2. In the event of a reportable disease case(s) being linked to a food product, City ESF #11 will work with the county health department who will notify the Colorado Department of Public Health and Environment (CDPHE), who will notify the Centers for Disease Control and Prevention (CDC). This will allow for the investigation at the state and federal level to be completed in order to implement any needed changes to federal and state system to ensure the safety and security of the commercial food supply: Includes the execution of routine food safety inspections and other services at the state and federal level to ensure the safety of food products that enter commerce. This includes the state and federal inspection and verification of food safety aspects of slaughter and processing plants, products in distribution and retail sites, and import facilities at ports of entry; laboratory analysis of food samples; control of products suspected to be adulterated; plant closures; foodborne disease surveillance; and field investigations. These efforts are coordinated by USDA's Food Safety and Inspection Service (FSIS);
3. Ensuring provisions for the safety and well-being of household pets during evacuation and sheltering.

City of Ouray Attorney

1. Provision of legal counsel and assistance to City Council and to other City officials before, during and after disaster and emergency incidents in the City;
2. Draft and/or review emergency contracts, memoranda of understanding and inter-governmental agreements;
3. Preparation of legal documents (disaster declarations, resolutions or regulations required to facilitate emergency operations);
4. Assist with Emergency Operations as needed;
5. Development and maintenance of standard operating procedures (SOP's);
6. Consider Access and Functional Needs (AFN) issues so that planning, response and recovery efforts support the needs of people with disabilities.
7. Maintain ability to manage or assist with response and recovery support operations using command and management principals as outlined in the National Incident Management System;

City of Ouray Police

(Incident Command, ESF #2, ESF #5, ESF #7, ESF #9, ESF #13)

1. Implementation of the Incident Command System (ICS), including determining the locations of Incident Command Post (ICP) and establishing necessary positions and functions (i.e., planning, finance, logistics, operations and public information);
2. Assessment of emergency conditions and determination of required levels of immediate assistance;
3. Implementation of available public warning measures;
4. Conducts and coordinates search and rescue operations through request of the Sheriff's Department;
5. Determination of the need for population evacuations and provision of instructions to uniformed law enforcement personnel regarding evacuation operations;
6. Coordination of communications and provision of communications staff support for field command post(s);
7. Coordination of volunteer amateur radio resources to augment primary communications and provide back-up capabilities;
8. Provision of law enforcement, traffic control, and access control within the disaster area(s) and in other areas of the City;
9. Provision of aviation support to include search & rescue, rapid transportation and aerial observation;
10. Provision of security measures at ICP, EOC, temporary emergency shelters, temporary morgues, and in evacuated and disaster-impacted areas, if available;
11. Coordination of wildland fire suppression in conjunction with CDFPC;
12. Coordination of uniformed reserve forces and uniformed reserve members;
13. Maintenance of departmental ability to manage response and recovery support operations using command and management principals as outlined in the National Incident Management System;
14. Make photographic or video record of damage;
15. Investigative support to National Transportation Safety Board/FAA and other investigative agencies in man-made disasters;
16. Commitment of personnel as directed to assist with evacuation, shelters, Coroner's Office or other needed locations to support their operations;
17. Establishment of measures for animal control, including the coordination of animal relief measures, the assurance of their care, and the search for their owners;
18. May serve as the Public Information Officer (PIO);
19. Coordination of volunteer amateur radio resources used for backup communications;
20. Maintain operational radio communications;
21. Coordination of all wired and radio communications in conjunction with the EOC and communications center;
22. Provision of communications staff support for field Command Post(s) and/or EOC as needed;
23. Assessment of emergency conditions and determination immediate and ongoing needs or assistance from County and/or outside sources;

24. Assess the emergency situation and make recommendations to the City Administrator and/or City Council concerning needs for local disaster declarations, travel restrictions, curfews or other temporary social restrictions;
25. Coordination of resources to support the needs and requests presented by incidents;
26. Provide technical support to EOC staff and other city personnel with respect to resource management, damage assessment, intergovernmental coordination, disaster recovery, hazard mitigation, and other emergency management functions as needed;
27. Coordination of mutual aid documentation and assistance resources;
28. Emergency situation assessment and recommendations to the City Administrator and City Council the need for local disaster declarations travel restrictions, curfews or other temporary social restrictions;
29. Provision of emergency public information and establishment of procedures for releases of disaster-related information to include casualties;
30. Establishment of communications with Colorado OEM and Ouray County EM for purposes of providing situation reports and forwarding requests for State assistance via WebEOC and other resources;
31. Notification of emergency personnel (maintenance of contacts outside Police Department);
32. Preparation of situation reports and damage assessment reports for Emergency Manager, City Administrator, City Council and State Emergency Management;
33. Implementation of available public warning measures; Coordinate support for resource management, damage assessment, intergovernmental coordination, disaster recovery, hazard mitigation and other emergency management functions, as needed;
34. Plan maintenance, training and exercises;
35. Development and maintenance of standard operating procedures (SOP's).
36. Development and maintenance of Continuity of Government/Continuity of Operation Plans;
37. Coordination of volunteer amateur radio resources used for backup communications;
38. Maintain operational radio communications;
39. Coordination of all wired and radio communications in conjunction with the EOC and communications center;
40. Provision of communications staff support for field Command Post(s) and/or EOC as needed;
41. Consider Access and Functional Needs (AFN) issues so that planning, response and recovery efforts support the needs of people with disabilities

City of Ouray Police Chief's Responsibilities as ESF #2 Lead

1. Provides disaster emergency communications, which consists of the technical means and modes required to provide and maintain operable and interoperable communications in an incident area;
2. Supports the temporary re-establishment of the basic public safety communications infrastructure and assists in the initial restoration of the commercial telecommunications infrastructure;

3. Coordinates the provisioning of priority and other telecommunications services at incident support facilities, provides capabilities and services to aid response and short-term recovery operations, and ensures a smooth transition to long-term recovery efforts;
4. Facilitates the delivery of mission critical information to maintain situational awareness for emergency management decision makers and support elements;
5. Develops and maintains a communications common operating picture;
6. Coordinates and de-conflicts incident radio frequencies.

City of Ouray Police Chief's Role as ESF #5 Lead

1. Identifying resources for alert, activation, and subsequent deployment;
2. During the post-incident response phase, ESF #5 is responsible for the support and planning functions. ESF #5 activities include those functions that are critical to support and facilitate multiagency planning and coordination, including:
 - a. Alerts and notifications;
 - b. Working with county EM to request the deployment of Department of Homeland Security (DHS) and DHS/Federal Emergency Management Agency (FEMA) response teams, as well as response teams from other Federal departments and agencies;
 - c. Incident action planning;
 - d. Coordination of operations, direction, and control;
 - e. Logistics management;
 - f. Information collection, analysis, and management;
 - g. Facilitation of requests for Federal assistance;
 - h. Resource acquisition and management;
 - i. Federal worker safety and health;
 - j. Facilities management;
 - k. Financial management.

City of Ouray Police Chief Role as ESF #7 Lead

1. Manage a collaborative and complex logistics supply chain that provides equipment, supplies, and services for incidents requiring an integrated whole community response capability;
2. Provision for the integration of whole community logistics partners through deliberate and crisis collaboration in the planning, sourcing, acquisition, utilization, and disposition of resources;
3. Facilitate communication and collaboration among all supply chain support elements in order to minimize recovery efforts in the impacted area and reestablish local and state self-sufficiency as rapidly as possible.

City Police Chief's Responsibilities as ESF #9 Lead

(As outlined by NRF)

1. Structure Collapse (Urban) Search and Rescue (US&R);
2. Inland/Wilderness Search and Rescue;
3. Aeronautical Search and Rescue.

City Police Chief's Responsibilities as ESF #13 Lead

(As outlined by FEMA.gov)

1. Pre-incident Coordination;

2. Technical Assistance: Providing expertise and coordination for security planning efforts and conducting technical assessments (e.g., vulnerability assessments, risk analyses, surveillance sensor architecture, etc.);
3. Specialized Public Safety and Security Assessment;
4. General Law Enforcement Assistance;
5. Badging and Credentialing;
6. Access Control: Providing security forces to support State, tribal, and local efforts (or to secure sites under Federal jurisdiction) to control access to the incident site and critical facilities;
7. Site Security: Providing security forces and establishing protective measures around the incident site, critical infrastructure, and/or critical facilities. ESF #13 responsibilities should not be confused with site-security responsibilities of the Office of Security of the Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA), which is responsible for providing security for DHS/FEMA facilities, to include a Joint Field Office (JFO). DHS/FEMA may request ESF #13 assistance if DHS/FEMA resources are overwhelmed;
8. Traffic and Crowd Control;
9. Force Protection: Providing for the protection of emergency responders and other workers operating in a high-threat environment, and for the operational security of emergency response operations wherever they may occur;
10. Specialized Security Resources: Providing specialized security assets such as traffic barriers; chemical, biological, radiological, nuclear, and high-yield explosives detection devices; canine units; law enforcement personal protective gear; etc.

Ouray Volunteer Fire Department Chief

(ESF #4 and 10 Leads)

1. Implementation of available public warning systems.
2. Implementation of the Incident Command System (ICS) in a fire or hazmat related event;
3. Assessment of emergency conditions and determination of required levels of assistance from County and outside sources;
4. Provide Hazardous Material Incident response;
5. Coordination of mutual aid assistance;
6. Assist in implementation of emergency evacuation operations;
7. Provision of triage, extrication, medical treatment, to include, field coordination of emergency transportation to hospitals;
8. Provision of heavy rescue services;
9. Provision of onsite emergency medical facility for minor injuries;
10. Provision of fire suppression, fire causation, and arson investigation services;
11. Provide a representative to the unified ICP and EOC;
12. Designated Emergency Response Authority (DERA) for hazardous materials incidents inside their Fire District;
13. Development and maintenance of Continuity of Government/Continuity of Operation Plans;
14. Development and maintenance of standard operating procedures (SOP's).

15. Consider Access and Functional Needs (AFN) issues so that planning, response and recovery efforts support the needs of people with disabilities

Ouray Volunteer Fire Department Chief's Responsibilities as ESF #4 Lead

[As outlined by National Response Framework (NRF)]

1. Detecting and suppressing fires within city limits;
2. Providing personnel, equipment, and supplies in support of State, tribal, and local agencies involved in rural and urban firefighting operations;

Ouray Volunteer Fire Department Chief's Responsibilities as ESF #10 Lead

(As outlined by FEMA.gov)

1. Prevent, minimize, or mitigate a release of Oil or Hazardous Materials;
2. Detect and assess the extent of contamination (including sampling and analysis and environmental monitoring);
3. Stabilize the release and prevent the spread of contamination;
4. Analyze options for environmental cleanup and waste disposition;
5. Implement environmental cleanup;
6. Store, treat, and dispose of oil and hazardous materials

Information Technology (IT)

(Report to Emergency Operations Center if requested)

1. Coordinates needed actions to provide telecommunications, and the restoration of the telecommunications infrastructure for the city government;
2. Supports all City agencies and City EOC in the procurement and coordination of telecommunication services from the telecommunications and information technology (IT) industry during the duration of an incident;
3. Provide information services and telecommunications support to EOC and if necessary, the IC;
4. Assists with Emergency Operations as needed;
5. Development and maintenance of standard operating procedures (SOP's);
6. Mobilize or obtain computers for use in new/temporary facilities in the event that one or several offices need to be relocated;
7. Maintain ability to manage response and recovery support operations using command and management principals as outlined in the National Incident Management System.
8. Consider Access and Functional Needs (AFN) issues so that planning, response and recovery efforts support the needs of people with disabilities

IT responsibilities as Geographic Information Systems (GIS)

1. Provide situational and incident maps to the IC or Emergency Management or response workers as needed; These maps may include, but are not limited to, available data showing approximate property boundaries, approximate structure locations, property ownership, other pertinent property data maintained by the Ouray County Assessor's Office, geographic features, USGS topography or other utilized data or data collected by operations personnel;
2. Assist with Emergency Operations as needed;
3. Development and maintenance of standard operating procedures (SOP's);

4. Maintain ability to manage response and recovery support operations using command and management principals as outlined in the National Incident Management System.

City of Ouray Administration Staff

1. Procurement of emergency-related supplies and materials and administration of vendor contracts for emergency services and equipment (Finance);
2. Resource tracking, record-keeping and documentation of disaster-related costs and financial commitments (Finance);
3. Participation with other departmental representatives on City damage assessment team at EOC and on local-state field damage survey teams, as needed (Finance and Risk Management).
4. Establishes and maintains an incident related financial record keeping system. (Finance)
5. Development and maintenance of standard operating procedures (SOP's). (Finance and Risk Management);
6. Maintain list of NIMS trainings for all city employees;

Human Resources

(Report to Emergency Operations Center if requested)

1. Ensure adequate timesheets are kept and recorded for all City Employees from the start of the incident;
2. Ensure adequate timesheets are kept and recorded for all Volunteers from the start of the incident;
3. Prepare medical care compensation information for injured City employees through Worker's Compensation Plans;
4. Assist the City in returning to its normal productivity, while also ensuring that the reputation of the organization is kept intact;
5. Assist in developing, maintaining, updating, and implementing the Continuity of Operations Plan (COOP);
6. Development and maintenance of standard operating procedures (SOP's);
7. Consider Access and Functional Needs (AFN) issues so that planning, response and recovery efforts support the needs of people with disabilities

Director of Finance and Administration

1. Provide for the safekeeping of vital records including Standard Operating Procedures (SOPs), guidelines, master equipment lists, etc.;
2. Participate with other departmental representatives in the establishment and maintenance of an incident-related financial recordkeeping system;
3. Receipt and filing of any orders or proclamations declaring, continuing or terminating a City of Ouray emergency or disaster;
4. Assist with Emergency Operations as needed;
5. Assist in developing, maintaining, updating, and implementing the Continuity of Operations Plan (COOP);
6. Maintain ability to manage response and recovery support operations using command and management principals as outlined in the National Incident Management System;

7. Provide and maintain financial records;
8. Consider Access and Functional Needs (AFN) issues so that planning, response and recovery efforts support the needs of people with disabilities
9. Development and maintenance of standard operating procedures (SOP's);

Clerk/Treasurer Responsibilities as Finance Department Lead

1. Prepare documents necessary to recover monies from insurance providers, State/Federal Disaster Assistance Programs, or other funds or combinations of funding sources;
2. Procure emergency-related supplies and materials and oversee the administration of vendor contracts for emergency services and equipment as authorized by the City Council;
3. Responsible for resource tracking, record-keeping and documentation of disaster-related costs and financial commitments;
4. Participation on City of Ouray Damage Assessment Team at EOC and on local-state field damage survey teams, as needed;
5. Establish and maintain an incident related financial record keeping system;
6. Assist with Emergency Operations as needed;
7. Development and maintenance of standard operating procedures (SOP's);
8. Maintain ability to manage or assist response and recovery support operations using command and management principals as outlined in the National Incident Management System.

City of Ouray Public Works Department

1. Restoration of public facilities, services, utilities (Facilities). Development and maintenance of standard operating procedures (SOP's);
2. Provision of transportation services in support of emergency response and recovery efforts (e.g., movement of City personnel, equipment and supplies to designated staging areas);
3. Removal of debris, clearance of public right-of-ways, and planning for street/route recovery operations, with priority assigned to critical emergency services life line;
4. Provision of personnel and heavy equipment in support of search and rescue operations.
5. Provision of personnel, equipment, supplies and materials for flood control and flood hazard mitigation measures;
6. Restoration of damaged City roads and bridges and other related infrastructure;
7. Provision of personnel for structure and facility inspections to determine safety of individual structures (businesses, residences and public buildings) and to identify needed repairs (or to implement condemnation procedures when necessary);
8. Participation with representatives of other City departments on City of Ouray damage assessment team at EOC and on local-state field damage survey teams, as needed;
9. Maintenance of departmental ability to manage response and recovery support operations using command and management principals as outlined in the National Incident Management System;
10. Provide resources to responders (IE assist fire department in obtaining water when needed or other provisions requested, etc.);
11. Consider Access and Functional Needs (AFN) issues so that planning, response and recovery efforts support the needs of people with disabilities.

12. Development and maintenance of Continuity of Government/Continuity of Operation Plans;
13. Development and maintenance of standard operating procedures (SOP's).

City of Ouray Public Works Department's Responsibilities as ESF #1 Lead

(As outlined by FEMA.gov)

1. Monitor and report status of and damage to the transportation system and infrastructure as a result of the incident;
2. Identify temporary alternative transportation solutions that can be implemented by others when systems or infrastructure are damaged, unavailable, or overwhelmed;
3. Coordinate the restoration and recovery of the transportation systems and infrastructure;
4. Coordinate and support prevention, preparedness, response, recovery, and mitigation activities among transportation stakeholders within the authorities and resource limitations of ESF #1 agencies.

City of Ouray Public Works Department's Responsibilities as ESF #3 Lead

(As outlined by FEMA.gov and NRF)

1. Conducting pre-incident and post-incident assessments of public works and infrastructure;
2. Executing emergency contract support for life-saving and life-sustaining services;
3. Providing technical assistance to include engineering expertise, construction management, and contracting and real estate services;
4. Providing emergency repair of damaged public infrastructure and critical facilities;
5. Tracking the DHS/Federal Emergency Management Agency (FEMA) Public Assistance Program and other recovery programs as it relates to Public Works.

City of Ouray Public Works Department's Responsibilities as ESF #12 Lead

(As outlined by NRF)

1. Serve as the focal point within the Local Government for receipt of information on actual or projected damage to energy supply and distribution systems and requirements for system design and operations, and on procedures for preparedness, restoration, recovery, and mitigation;
2. Advise local authorities on priorities for energy restoration, assistance, and supply;
3. Assist industry and local authorities with requests for emergency response actions as required to meet the areas energy demands;
4. Assist local departments and agencies by locating fuel for transportation, communications, and emergency operations;
5. Provide guidance on the conservation and efficient use of energy to local governments and to the public;
6. Provide assistance to local authorities utilizing Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) established communications systems.

Community Development Coordinator

In the absence of a staffed Community Development Coordinator, responsibilities lie with the City Administrator.

(Report to Emergency Operations Center if requested)

1. Provision of personnel for structure and facility inspections in conjunction with municipal partners to determine safety of individual structures (businesses, residences and public buildings), including during rescue operations, and identify needed repairs (or to implement condemnation procedures when necessary);
2. Participation with other departmental representatives on City Damage Assessment Team at EOC and on local/state field damage survey teams, as needed;
3. Participate in long-term disaster recovery and hazard mitigation planning and enforcement to ensure the compatibility of community redevelopment plans and hazard mitigation measures with comprehensive City Land Use Code and other community development plans;
4. Provide public education materials related to community disaster recovery and reentry by citizens into disaster-impacted structures and neighborhoods (e.g., safety of stored goods, removal of mildew, cleaning of smoke damages, etc.);
5. Maintenance of departmental ability to manage response and recovery support operations using command and management principals as outlined in the National Incident Management System;
6. Assist with Emergency Operations as needed;
7. Update codes for preventive measures in the future;
8. Consider Access and Functional Needs (AFN) issues so that planning, response and recovery efforts support the needs of people with disabilities.
9. Development and maintenance of standard operating procedures (SOP's), Continuity of Government (COG) and Continuity of Operations Plans (COOP);

Community Development Coordinator's Responsibilities as ESF #14 Lead

(As outlined by NRF)

1. Convene interagency recovery expertise to provide strategic guidance to long-term recovery efforts;
2. Identify and address long-term recovery issues, including those that fall between existing mandates of agencies;
3. Avoid duplication of assistance, coordinate program application processes and planning requirements to streamline assistance processes, and identify and coordinate resolution of policy and program issues;
4. Identify programs and activities across the public, private, and nonprofit sectors that similarly support long-term recovery and promote coordination between them;
5. Identify appropriate programs and agencies to support implementation of comprehensive long-term community planning and identify gaps in available resources;
6. Identify appropriate programs and agencies to support and facilitate continuity of long-term recovery activities.
7. Work with State, tribal, and local governments; Non-Governmental Organizations (NGO); and private-sector organizations to support long-term recovery planning for highly impacted communities;

8. Link recovery planning to sound risk reduction practices to encourage a more viable recovery;
9. Strategically apply subject-matter expertise to help communities recover from disasters.

City Resource Director

(Report to EOC if requested)

1. Restoration of public facilities and buildings to normal use;
2. Support and coordination of utilizing City facilities and other buildings as emergency shelters;
3. Assist with Emergency Operations as needed;
4. Maintain ability to manage response and recovery support operations using command and management principals as outlined in the National Incident Management System;
5. Provide the EOC with cleaning supplies and toiletries to ensure operations for as long as needed;
6. Maintain city shelters and provide personnel to maintain them;
7. Consider Access and Functional Needs (AFN) issues so that planning, response and recovery efforts support the needs of people with disabilities.

City Resource Director's Responsibilities as overseeing Public Information Officer

1. Ensure PIO assists with media or other public communications;
2. Oversee the public information officer (PIO);
3. Ensure PIO attends Bi-Annual training for the PIO position as SOPs are continually changing;
4. Provision of emergency public information and establishment of procedures for coordinated releases of disaster-related information to news media and the public. (Public Information Officer);
5. Ensure PIO maintains a list of Press Contacts (including local, state, and national).

City Resource Director's Responsibilities overseeing ESF #15 Lead

1. Delivery of incident preparedness, health, response, and recovery instructions to those directly affected by the incident;
2. Dissemination of incident information to the public, including children, those with disabilities and other access and functional needs, and individuals with limited English proficiency populations.

Non- City of Ouray Agencies and Department Services

The following are non-city agencies and departments that can be requested resources. They play a huge role in Emergency Response but must be requested by ESF Leads, IC, or EOC Manager if the emergency or Disaster is within the City of Ouray. Each department has been assigned a section to report to within ICS/ESF when directives are received. Reporting sections for each department are in parentheses. Following their title is a list of the services they provide.

Amateur Radio Emergency Services (ARES) / Radio Amateur Civil Emergency Service (RACES)

(Report to and requested by ESF #2 if requested)

1. Provide emergency communications support as requested by the Police Chief.

American Red Cross / Salvation Army

(Report to and requested by ESF #6 if requested)

1. Provision of immediate assistance to disaster victims, including food, water, shelter, clothes, physical and mental health counseling and referrals;
2. Establishment and management of emergency shelters for mass care, in cooperation with Ouray County Emergency Management and affected municipalities, including registration, feeding, lodging, and responding to public inquiries concerning shelter residents (establish public inquiry telephones);
3. Provision of temporary and immediate housing for displaced disaster victims;
4. Provision of food, beverages and other assistance to emergency response personnel and emergency relief workers;
5. Provide training to volunteers prior to emergency or disaster declaration
6. Provide on-site training to volunteers during an emergency or disaster declaration
7. Provision of damage assessment information upon request;
8. Coordination of mental health services (in cooperation with Ouray County Human /Social Services Department;
9. Assist with Emergency Operations as needed.

Ridgway Marshal or County Sheriff or their Designee

(Report to and requested by ESF #13 when requested)

1. Implementation of the Incident Command System (ICS);
2. Determination of location(s) in the field for Incident Command Post(s);
3. Assessment of emergency conditions and determination of required levels of assistance from City and outside sources;
4. Activation and management of the Municipal Emergency Operations Center (EOC) if available.
5. Coordination of mutual aid assistance;
6. Provision of emergency public information and establishment of procedures for releases of disaster-related information to news media, to include casualties;
7. Determination of the need for population evacuations and provision of instructions to uniformed law enforcement, fire, and emergency medical personnel regarding the conduct of evacuation operations;
8. Emergency situation assessment and recommendations to Municipal Officials concerning the need for local disaster declarations travel restrictions, curfews or other temporary social restrictions;
9. Establishment of communications with County Emergency Management for purposes of providing situation reports and forwarding requests for State assistance through the County Emergency Management Director or EOC;
10. Provision for law enforcement and traffic control within the disaster area(s);
11. Provide a representative to EOC and or ICP as needed;

12. Formal declaration of a local disaster or emergency and issuance of other official orders regarding population protection and temporary restrictions, including evacuation orders, establishment of curfews, and enactment of price controls;
13. Approval and commitment of Municipal resources and funds for disaster/emergency response and recovery.
14. Establishment of intergovernmental liaison in multi-jurisdictional incidents, including coordination of emergency efforts with Ouray County Emergency Management Director (furnish representative to the City of Ouray or Ouray County EOC, when requested or needed);
15. Assist with Emergency Operations as needed;
16. Development and maintenance of standard operating procedures (SOP's);
17. Maintenance of departmental ability to manage response and recovery support operations using command and management principals as outlined in the National Incident Management System.

Colorado Department of Agriculture

(Report to ESF #11)

1. May serve as ESF #11 lead if requested;
2. Must be requested by ESF #8 lead.

Colorado Department of Transportation

1. Can supply heavy equipment
2. Can provide traffic control on State Highways
3. Can assist Public Works with road maintenance when requested

Colorado State Parks and Wildlife

1. Provide perimeter security for scene;
2. Provide security for shelter
3. Provide security for Emergency Operations Center
4. Provide access and egress for emergency vehicles and needed personnel (establish one-way routes);
5. Provide response for Hazardous Material Incidents;
6. Assist with Emergency Operations as needed;
7. Provision of law enforcement, traffic control, and access control within the disaster area(s) and in any other needed areas of the City;
8. Provide a representative to EOC and or ICP as needed.

Colorado State Patrol

(Report to ESF #13 when requested)

1. Provide perimeter security for scene;
2. Provide security for shelter
3. Provide security for Emergency Operations Center
4. Provide access and egress for emergency vehicles and needed personnel (establish one-way routes);

5. Provide Hazardous Material Incident response;
6. Assist with Emergency Operations as needed;
7. Provision of law enforcement, traffic control, and access control within the disaster area(s) and in any other needed areas of the City;
8. Provide a representative to EOC and or ICP as needed.

CSU Extension

(Report to and requested by ESF #8 and ESF #11 if requested);

1. Connect community and regional needs with University and external talents and resources.

Regional Fire Protection District Chiefs

(Report to and requested by ESF #4 when requested)

1. Implementation of the Incident Command System (ICS);
2. Determination of location(s) in the field for Incident Command Post(s);
3. Assessment of emergency conditions and determination of required levels of assistance from County and outside sources;
4. Provide Hazardous Material Incident response;
5. Provide Incident Command Vehicle if available;
6. Activation and management of the Municipal Emergency Operations Center (EOC) if needed;
7. Coordination of mutual aid assistance;
8. Provision of emergency public information and establishment of procedures for releases of disaster-related information to news media, to include casualties;
9. Emergency situation assessment and recommendations to County and/or Municipal Officials concerning the need for local disaster declarations travel restrictions, curfews or other temporary social restrictions;
10. Establishment of communications with County Emergency Management for purposes of providing situation reports and forwarding requests for State assistance through the County Emergency Management Director;
11. Assist in implementation of emergency evacuation operations;
12. Provision of triage and extrication to include, field coordination of emergency transportation to hospitals;
13. Request of heavy rescue services;
14. Provision of onsite emergency medical facility for minor injuries;
15. Provision of fire suppression, fire causation, and arson investigation services;
16. Provide a representative to the unified ICP and EOC;
17. Hazardous Material Incident response;
18. Assist with Emergency Operations as needed;
19. Development and maintenance of standard operating procedures (SOP's);
20. Maintenance of departmental ability to manage response and recovery support operations using command and management principals as outlined in the National Incident Management System.

Ouray County Engineer

(Report to and requested by ESF#3 when requested)

1. The purpose of the County Engineer is to provide technical and engineering services and support to other City departments;
2. The County Engineer develops plans for water and sewer expansion and improvements, roadway and drainage improvements, and various City projects;
3. The County Engineer deals with State and Federal permitting agencies, manages and administers construction projects and submits applications for State and Federal funding for road, water, sewer, and landfill projects.

Wesco Regional Dispatch

(Report to Emergency Operations Center if requested)

1. Dispatches all Ouray City and County Resources;
2. Can dispatch regional assets requested by incident command in small scale incidents.

Montrose Fire District

(Report to ESF #4 if requested)

1. Provide Hazardous Material Operations;
2. Provide Mutual Aid to any fire district within Ouray County;
3. Provision of heavy rescue services.

Montrose Memorial Hospital

(Report to Emergency Operations Center if requested)

1. Receives medical and trauma patients;
2. Acts as the morgue for Ouray County;
3. Can assist City of Ouray in a medical surge event with personnel or services;
4. Provide Surge Trailer and supplies

Ouray County School Districts

(Report to and requested by ESF #6 if requested)

1. Provide for the safety and protection of pupils and school personnel, through planning and training exercises with local public safety organizations;
2. Coordinate with Emergency Management, in cooperation with American Red Cross, to provide schools as temporary shelters, when needed;
3. Assist with Emergency Operations as needed;
4. Provide buses for evacuation and transportation, when needed;
5. Development and maintenance of standard operating procedures (SOP's);
6. Development and maintenance of Continuity of Government and Continuity of Operations Plans;
7. Maintenance of departmental ability to manage response and recovery support operations using command and management principals as outlined in the National Incident Management System.

Public Utilities

(Report to and requested by ESF #12 if requested)

1. Provide emergency power to critical lift stations;
2. Monitor water and sewer utility use and assess capabilities;
3. Determine availability, quantity, and procedures to obtain sandbags in coordination with emergency management;
4. Clear emergency routes and arterial streets of debris to facilitate movement of emergency equipment;
5. Provide material for earthen dikes in cooperation with Public Works;
6. Provide potable water for drinking, if required;
7. Advise resource members of anticipated needs and support required;
8. Coordinate and compile damage reports from damage assessment teams and advise coordination and control group.

Second Chance Humane Society

(Report to ESF #6)

1. Can shelter cats and dogs in the event of an emergency.

Telluride Hazardous Response Team

(Report to and requested by ESF # 10 if requested)

1. Ouray County's Hazardous Response Team;
2. Prevent, minimize, or mitigate a release of Oil or Hazardous Materials;
3. Detect and assess the extent of contamination (including sampling and analysis and environmental monitoring);
4. Stabilize the release and prevent the spread of contamination;
5. Analyze options for environmental cleanup and waste disposition;
6. Implement environmental cleanup;
7. Store, treat, and dispose of oil and hazardous materials

CONTINUITY OF GOVERNMENT

1. In accordance with CRS 24-32-2107(9), it is the intent of the City of Ouray City Council that City government will continue to provide essential services in order to protect the public health, safety and welfare during an emergency or disaster event by distribution of these disaster chain of command procedures and protocols.
2. During a declared emergency or disaster event, the following City of Ouray elected and appointed officials, in the order listed, have the authority to execute the powers of the board in accordance with [CRS 31-15-101](#).
 - i. Mayor
 - ii. Mayor Pro Tem
 - iii. Any duly elected member of the City Council
 - iv. City Administrator
3. All City of Ouray department heads and City elected officials shall be consulted regarding emergency or disaster event issues that might impact their area of responsibility.

4. Each City of Ouray department head and City elected official shall work within the framework established by the City of Ouray emergency operations plan.
5. **GENERAL RESPONSIBILITIES.** The head of each City department and City elected office, as appropriate, shall:
 - a. Be prepared to respond adequately to all emergency or disaster events.
 - b. Consider potential emergency or disaster events in the conduct of his or her regular functions, particularly those functions essential in time of emergency.
 - c. Design preparedness measures to permit a rapid and effective transition from routine to emergency operations, and to make effective use of the period following initial indication of a probable emergency or disaster events. This will include:
 - i. Development of a system of emergency actions that defines alternatives, processes, and issues to be considered during various stages of emergency or disaster event;
 - ii. Identification of actions that could be taken in the early stages of a emergency or disaster event to mitigate the impact of or reduce significantly the lead times associated with full emergency action implementation
 - d. Identify areas where additional legal authorities may be needed to assist management and notify the City Administrator of those authorities.
 - e. Coordinate with State and local government agencies and other organizations, including private sector organizations, when appropriate.
 - f. Cooperate, to the extent appropriate, in compiling, evaluating, and exchanging relevant data related to all aspects of emergency or disaster events.
 - g. Ensure that plans consider the consequences for essential services provided by the City if the flow of State and/or Federal funds is disrupted.
6. **CONTINUITY OF OPERATIONS.** The head of each City department and each City elected official shall ensure the continuity of essential functions in any emergency or disaster event by providing for: succession to office and emergency delegation of authority in accordance with applicable law; safekeeping of essential resources, facilities, and records; and establishment of emergency operating capabilities.
7. **RESOURCE MANAGEMENT.** The head of each City department and each City elected official, as appropriate within assigned areas of responsibility, shall:
 - a. Develop plans and programs to mobilize personnel, equipment, facilities, and other resources;
 - b. Assess essential emergency requirements and plan for the possible use of alternative resources to meet essential demands during and following emergency or disaster event.
 - c. Prepare plans and procedures to share between and among the responsible agencies resources such as energy, equipment, food, land, materials, services, supplies, transportation, water, and workforce needed to carry out assigned responsibilities and other essential functions, and cooperate with other agencies in developing programs to ensure availability of such resources in an emergency or disaster event.
8. **PROTECTION OF ESSENTIAL RESOURCES AND FACILITIES.** The head of each City department and each City elected official, as appropriate within assigned areas of responsibility, shall:
 - a. Identify facilities and resources, both government and private, essential to the public welfare, and assess their vulnerabilities and develop plans to provide for the security of

such facilities and resources, and to avoid or minimize disruptions of essential services during any emergency or disaster event

Participate in interagency activities to assess the relative importance of various facilities and resources to essential community needs and to integrate preparedness and response strategies and procedures.

PLAN MAINTENANCE, TRAINING AND EXERCISES

Authority for maintenance and regular updates of this plan rests with the City Administrator. The City Administrator will also provide for regular exercises and training sessions to ensure that provisions of the plan are well understood by all departments and offices with assigned responsibilities.

Departments, offices and other organizations with responsibilities identified in the plan are responsible for ensuring that their staff is familiar with the applicable provisions of the plan and is adequately trained to carry out emergency assignments. Multi-agency and multi-jurisdictional exercises will be coordinated by the Emergency Manager.

This Emergency Operations Plan will be updated at least bi-annually through the Multi-Agency Coordination Group (MAC Group), and as needed after any incident, to ensure that it remains an effective, accurate emergency management tool for responders and citizens of the City of Ouray.

CHECKLIST FOR PLAN MAINTENANCE, TRAINING AND EXERCISES

- ☐ Ensure that ICS policies and procedures are communicated to all agencies that may become involved in emergency response operations.
- ☐ Provide ICS and EOC training and exercise opportunities to all agencies and offices with emergency management responsibilities.
- ☐ Encourage all agencies with emergency responsibilities to develop and maintain current internal procedures for carrying out assigned functions, where appropriate.
- ☐ Conduct multi-agency and multi-jurisdictional exercises to improve coordination and reduce overall training costs.
- ☐ Establish procedures for distributing plan revisions to all agencies with assigned responsibilities.

**RETAIL LIQUOR OR 3.2 BEER
LICENSE RENEWAL APPLICATION**

BON TON
PO BOX 1055
OURAY CO 81427

Fees Due	
Renewal Fee	500.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
Amount Due/Paid	

Make check payable to: Colorado Department of Revenue.
The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name FOR THE LOVE OF FOOD LLC		DBA BON TON		
Liquor License # 03-01488	License Type Hotel & Restaurant (city)	Sales Tax License # 27598983	Expiration Date 06/11/2019	Due Date 04/27/2019
Operating Manager Chris Lee	Date of Birth _____	Home Address _____		
Manager Phone Number _____		Email Address bontonouray@gmail.com		
Street Address 426 MAIN ST, UNIT 2 OURAY CO 81427				Phone Number 9703254419
Mailing Address PO BOX 1055 OURAY CO 81427				

1. Do you have legal possession of the premises at the street address above? ☒ YES ☐ NO
Is the premises owned or rented? ☐ Owned ☒ Rented* *If rented, expiration date of lease 12/2023
11. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. ☐ YES ☒ NO
- NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
3. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. ☐ YES ☒ NO
4. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. ☐ YES ☒ NO
5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. ☐ YES ☒ NO

AFFIRMATION & CONSENT

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business For The Love Of Food LLC	Title Partner / owner
Signature <i>[Signature]</i>	Date 4/23/19

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

Local Licensing Authority For		Date
Signature	Title	Attest

**RETAIL LIQUOR OR 3.2 BEER
LICENSE RENEWAL APPLICATION**

FRIENDS OF THE WRIGHT OPERA HOUSE
PO BOX 17
OURAY CO 81427

Fees Due	
Renewal Fee	500.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
Amount Due/Paid	

Make check payable to: Colorado Department of Revenue.
The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

Licensee Name FRIENDS OF THE WRIGHT OPERA HOUSE		DBA FRIENDS OF THE WRIGHT OPERA HOUSE		
Liquor License # 42-94142-0002	License Type Tavern (city)	Sales Tax License # 42941420002	Expiration Date 05/07/2019	Due Date 03/23/2019
Operating Manager Deedra Williams		Date of Birth _____ Home Address _____		
Manager Phone Number _____		Email Address _____		
Street Address 472 MAIN STREET OURAY CO 81427				Phone Number 9703254399
Mailing Address PO BOX 17 OURAY CO 81427				

1. Do you have legal possession of the premises at the street address above? ☒ YES ☐ NO
Is the premises owned or rented? ☒ Owned ☐ Rented* *If rented, expiration date of lease _____
71. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. ☐ YES ☒ NO
- NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
3. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. ☐ YES ☒ NO
4. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. ☐ YES ☒ NO
5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. ☐ YES ☒ NO

AFFIRMATION & CONSENT

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business Deedra Williams	Title Director
Signature Deedra Williams	Date 3/23/19

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. THEREFORE THIS APPLICATION IS APPROVED.

Local Licensing Authority For		Date
Signature	Title	Attest

**RETAIL LIQUOR OR 3.2 BEER
LICENSE RENEWAL APPLICATION**

OURAY BREWERY
PO BOX 811
OURAY CO 81427

Fees Due	
Renewal Fee	750.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
Amount Due/Paid	

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

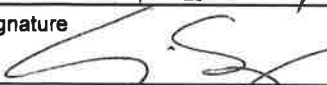
RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name OURAY BREWERY LLP		DBA OURAY BREWERY		
Liquor License # 15-75245-0001	License Type Brew Pub (city)	Sales Tax License # 15752450001	Expiration Date 07/27/2019	Due Date 06/12/2019
Operating Manager ERIN EDDY	Date of Birth	Home Address		
Manager Phone Number		Email Address		
Street Address 607 - 609 MAIN ST OURAY CO 81427-9903				Phone Number 9703181376
Mailing Address PO BOX 811 OURAY CO 81427				

1. Do you have legal possession of the premises at the street address above? ☒ YES ☐ NO
Is the premises owned or rented? ☒ Owned ☐ Rented* *If rented, expiration date of lease _____
4. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. ☐ YES ☒ NO
- NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
3. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. ☐ YES ☒ NO
4. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. ☐ YES ☒ NO
5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. ☐ YES ☒ NO

AFFIRMATION & CONSENT

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business Erin Eddy	Title MANAGER
Signature 	Date 4-7-19

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

Local Licensing Authority For		Date
Signature	Title	Attest

**RETAIL LIQUOR OR 3.2 BEER
LICENSE RENEWAL APPLICATION**

OUTLAW RESTAURANT
PO BOX 1227
OURAY CO 81427-1227

Fees Due	
Renewal Fee	500.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
Amount Due/Paid	

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

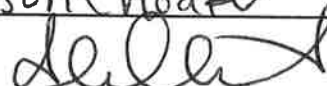
PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

Licensee Name OUTLAW TRADITION LLC		DBA OUTLAW RESTAURANT		
Liquor License # 42-70517-0000	License Type Hotel & Restaurant (city)	Sales Tax License # 42705170000	Expiration Date 07/16/2019	Due Date 06/01/2019
Operating Manager Alison Choate	Date of Birth	Home Address		
Manager Phone Number		Email Address		
Street Address 610 MAIN ST OURAY CO 81427-9903				Phone Number 9703182381
Mailing Address PO BOX 1227 OURAY CO 81427-1227				

1. Do you have legal possession of the premises at the street address above? ☒ YES ☐ NO
Is the premises owned or rented? ☒ Owned ☐ Rented* *If rented, expiration date of lease _____
31. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. ☐ YES ☒ NO
- NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
3. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. ☐ YES ☒ NO
4. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. ☐ YES ☒ NO
5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. ☐ YES ☒ NO

AFFIRMATION & CONSENT

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business Alison Choate	Title owner/member
Signature 	Date April 10, 2019

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

Local Licensing Authority For		Date
Signature	Title	Attest



ACTION ITEMS (May 6, 2019):

Mobile Food Vending Ordinance – 2nd Reading

Action Requested – *Will City Council approve the Mobile Food Vending Ordinance?*

Background – This is the second reading of the Mobile Food Vending Ordinance that was proposed last month. This came before City Council after receiving a business proposal from Camp-Bell's Cajun Cuisine. The operation of this business will include transportation and sales from an electric golf cart.

Staff Recommendation – Staff recommends approval of the Mobile Food Vending Ordinance.

Beautification Committee Appointment

Action Requested – *Will City Council appoint Sandra Woodman to the Beautification Committee to fill the vacant position?*

Background – The Beautification Committee currently has one open position. The open position has been advertised and the only application received was by Sandra Woodman.

Staff Recommendation – City Staff recommends filling the open position on the Beautification Committee by appointing Sandra Woodman.

No Check Policy

Action Requested – *Will City Council amend the new "No Check Policy" as was adopted in the last City Council meeting?*

Background – City Council approved the new "No Check Policy" for the Ouray Hot Springs Pool and Box Canon at the last City Council meeting on April 15th. After further

consideration, City Council would like to discuss reconsidering the allowance of business checks at both entities.

CITY OF OURAY

ORDINANCE NO. 03 (Series 2019)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OURAY, COLORADO IMPLEMENTING A PILOT PROGRAM FOR MOBILE FOOD VENDING OPERATIONS WITHIN CITY LIMITS WHICH ORDINANCE SHALL EXPIRE ON SEPTEMBER 30, 2019 AND NOT BE INCORPORATED INTO THE OURAY LAND USE CODE.

WHEREAS, City Council wishes to implement a pilot program to allow the permitting of mobile food vendors so long as the permittee operates a retail food establishment as defined under C.R.S. § 25-4-1602(14), as amended from time to time, within the City limits and no more than two licenses are issued;

WHEREAS, a mobile food vendor is one who operates in the City selling or taking orders for or offering to sell or take orders for food from or upon the public right-of-way, or to a person on the public right-of-way and operating from a mobile food vehicle;

WHEREAS, a mobile food vendor vehicle is low-speed electric vehicle as defined under C.R.S. § 42-4-109.5, as amended from time to time, used to provide mobile food vendor operations.

WHEREAS, the Ouray Municipal Code, 3-15 prevents mobile food vendor operations within the City because it would require a mobile food vendor to obtain permission from all adjacent established businesses prior to selling food on public property adjacent to an established business; and

WHEREAS, the City desires to exempt mobile food vending operations from the application of the huckstering provisions of the Ouray Municipal Code while this ordinance is in effect.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OURAY, COLORADO as follows:

PILOT PROGRAM FOR

MOBILE FOOD VENDING OPERATIONS

I. DEFINITIONS:

FOOD: Any raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption.

MOBILE FOOD VENDOR: Any person or entity who operates in the City selling or taking orders for or offering to sell or take orders for food from or upon the public right-of-way, or to a person on the public right-of-way and who also operates a retail food establishment, as defined under C.R.S. § 25-4-1601(14), as amended from time to time, within City limits.

MOBILE FOOD VENDOR VEHICLE: is low-speed electric vehicle as defined under C.R.S. § 42-4-109.5, as amended from time to time, used to conduct and provide mobile food vendor operations.

II. LICENSE REQUIRED; FEES; TERM; EXEMPTION:

- A. It shall be unlawful for any person to operate as a mobile food vendor within the City without first obtaining a license. Fees for mobile food vendors shall be as established by City Council by resolution, and the license shall expire upon this ordinance's sunset provision, unless suspended or revoked earlier.
- B. Nothing in this part is intended to inhibit or prohibit the lawful order, sales, or delivery of food from regularly established permanent business locations.
- C. There shall be two (2) licenses available on a first come first serve basis.
- D. Mobile food vendors are exempt from City huckstering regulations.
- E. The license issued under this ordinance is revocable at any time for cause or no cause.

III. MOBILE FOOD VENDOR REGULATIONS; PROHIBITIONS:

- A. It shall be unlawful for any mobile food vendor to stop or to place a mobile food vending vehicle, food, tables, chairs or other fixtures, furniture, devices, generators or awnings used to conduct mobile food vendor operations so as to obstruct the free travel of pedestrians or vehicles in, on, near or above any public street, sidewalk, or other public right-of-way.
- B. It shall be unlawful for a mobile food vendor to stop or operate within twenty feet (20') of an intersection, or to sell or attempt to sell to any person who is standing in the street or roadway, or operate in any area so as to interrupt or interfere with the normal flow of vehicular or pedestrian traffic.
- C. No mobile food vendor's license shall be valid within the boundaries of, or within three hundred feet (300') of, any special event permitted by the City which expressly prohibits, limits or regulates licensed mobile food vendor activities. The term "special event" as used in this section means activities such as, but not limited to, festivals, concerts, games and athletic events, parties, celebrations, picnics, parades, educational presentations and reenactments, memorial services, classes and other similar activities for which a revocable permit for the exclusive use of public property has been issued as provided by the City.
- D. It shall be unlawful for any mobile food vendor, including persons licensed under this part, who is not a bona fide participant under a special event permit for a special event, to operate within three hundred feet (300') of the boundary of the special event.
- E. It shall be unlawful for any mobile food vendor, including persons licensed under this part, who is not a bona fide participant under special event permit, to refuse or fail to comply immediately with an order from a City police officer or the City Administrator to remove their operation and physically leave the boundaries of the special event to a point at least three hundred feet (300') from the outer boundaries of the special event.
- F. It shall be unlawful for a mobile food vendor to sell or offer to sell any goods, wares or merchandise other than food within the City limits in violation of ordinance.

- G. It shall be unlawful for any mobile food vendor to violate the provisions of the City Code and any regulations or licensing requirements of the State of Colorado or Ouray County.
- H. It shall be unlawful to engage in mobile food vendor operations upon any private property without the express written permission of the owner.
- I. Menus, advertising and other signs related to the mobile food vendor operation may be affixed to the mobile food vendor vehicle so long as the menu, advertisement or other sign does not extend beyond the physical limits of the vehicle.
- J. No artificial lighting device may be erected on the public right-of-way or affixed to the mobile food vendor vehicle.
- K. Mobile food vendor operations shall be conducted during day light hours only.
- L. No mobile food vehicle shall emit music or other similar sounds which are primarily intended to attract patrons to the mobile food vehicle.
- M. This ordinance automatically expires on September 30, 2019.

INTRODUCED, APPROVED AS INTRODUCED, AND ORDERED PUBLISHED on first reading by 4 to 1 vote of the Ouray City Council this 15th day of April, 2019.

CITY OF OURAY, COLORADO

By Pamela J. Larson
Pamela J. Larson, Mayor

ATTEST:

Melissa M. Drake
Melissa M. Drake, City Clerk

INTRODUCED, READ AND ADOPTED on second reading by _____ vote of the Ouray City Council this ____ day of _____, 2019.

CITY OF OURAY, COLORADO

By _____
Pamela J. Larson, Mayor

ATTEST:

Melissa M. Drake, City Clerk

CERTIFICATE OF ATTESTATION

I, Melissa M. Drake, Ouray City Clerk, hereby certify that Ordinance No. 3 (Series No. 2019), was introduced, read and passed by the Ouray City Council on first reading on APRIL 15, 2019. The Ordinance was published, in summary, in the *Ouray County Plaindealer* on APRIL 18, 2019, and thereafter introduced, read and adopted by the Ouray City Council on _____, 2018, and thereafter published in the *Ouray County Plaindealer*, as required by law.

Melissa M. Drake, City Clerk



APPLICATION FOR PARTICIPATION
ON A CITY COMMITTEE

City of Ouray
320 6th Avenue
PO Box 468
Ouray, Colorado 81427
Telephone: (970) 325 7211 FAX: (970) 325 7212

An Equal Employment Opportunity Employer

Thank you for your interest in applying to serve on a City Committee. Please complete the following on your background. This information will allow us to select and appoint a balanced membership for each of our committees.

PART 1: PERSONAL DATA

Full Name: Sandra Michelle Woodman
Physical Address: 6616 Mary's Rd Bridgway CO 81432
Mailing Address: same
E-Mail Address: lbofflowers@gmail.com
Home Telephone Number: 970-531-0374
Business Telephone Number: 970-318-0310
Present job title: owner Little Bucket of Flowers
Present employment is (check one) ☒ Full-time ☐ Part-time
May we contact you at work for committee related issues? ☒ Yes ☐ No
For short-term/long-term rental committee:
Do you ☐ rent or ☒ own your home? If you own, do you have vacation rentals? no

PART 2: BACKGROUND INFORMATION

Please write the name of the committee for which you would like to be appointed:

Ouray Beautification Committee

How long have you lived in the City of Ouray? 2

What do you think are the major issues affecting our City?

Need public restrooms

How do you envision your contribution to this committee?

Help with summer yearly flowers.
Park, esthetic appeal.

Sandi Woodman
Signature

4/9/19
Date

Sandi Woodman
Print Name

If you are interested in this opportunity to serve your community, please fill out the application and return to the above address. For more information, please call Human Resources at 325-7062.

**City of Ouray Administrative Services
Policy No. 2**

Policy for Acceptance of Checks

Current Version: Approved April 15, 2019

**CITY OF OURAY
Check Acceptance Policy**

I. INTRODUCTION

This policy is intended to provide procedures and guidelines necessary for the conduct of accepting checks for payment to the City and applies to all City Departments.

II. ACCEPTENCE OF CHECKS

No checks shall be accepted for payment to the City for any services provided by the City for the Ouray Hot Springs Pool and Box Cañon Park.

III. DEFINITION OF CHECKS

A check is a draft, other than a documentary draft, payable on demand and drawn on a bank. The definition of a check does not include a cashier's check, money order or teller's check, all of which are acceptable as payment to the City.

Pamela J. Larson, Mayor

ATTEST:

Melissa M. Drake, City Clerk

P.O. Box 468
320 Sixth Avenue
Ouray, Colorado 81427



970.325.7211
Fax 970.325.7212
www.cityofouray.com

DISCUSSION ITEMS (May 6, 2019)

Ouray Tourism Office Work Session Follow Up

Background – This item is for discussing any particular details pertaining to the Ouray Tourism Office work session that was held on April 29th. Action items pertaining to LOT disbursement and agreements will be forthcoming in future City Council meetings.

Rock Fall/Flooding in the City

Background – Last October residents on Pinecrest were impacted by a rock fall that began from the cliff region in the national forest on the west side of the City. The rock fall left a significant path of destruction which appears to have left the mountainside somewhat unstable. There is fear that this loose material will be dislodged during times of heavy moisture, thereby creating possible landslide and flood hazards. This discussion is not for discussing the actual slide or mitigation efforts, but rather is for City Council to determine

Future Agenda Items – Council discussion about future agenda items.