



BRECKENRIDGE TOWN COUNCIL REGULAR MEETING

Tuesday, August 26, 2014; 7:30 PM

Town Hall Auditorium

I	CALL TO ORDER, ROLL CALL	
II	APPROVAL OF MINUTES - AUGUST 12, 2014	3
III	APPROVAL OF AGENDA	
IV	COMMUNICATIONS TO COUNCIL	
	A. CITIZEN'S COMMENT - (NON-AGENDA ITEMS ONLY: 3-MINUTE LIMIT PLEASE)	
	B. RED, WHITE & BLUE FIRE DISTRICT UPDATE	
V	CONTINUED BUSINESS	
	A. SECOND READING OF COUNCIL BILLS, SERIES 2014 - PUBLIC HEARINGS	
	1. COUNCIL BILL NO. 29, SERIES 2014 - AN ORDINANCE REPEALING AND READOPTING WITH CHANGES CHAPTER 2 OF TITLE 6 OF THE BRECKENRIDGE TOWN CODE , INCLUDING ARTICLES 2A, 2B, 2C, AND 2D THEREOF, CONCERNING THE LICENSING AND REGULATION OF ANIMALS	8
VI	NEW BUSINESS	
	A. FIRST READING OF COUNCIL BILLS, SERIES 2014	
	1. COUNCIL BILL NO. 32, SERIES 2014 - AN ORDINANCE AMENDING CHAPTER 2 OF TITLE 8 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE SIGN ORDINANCE," CONCERNING SANDWICH BOARD SIGNS	30
	B. RESOLUTIONS, SERIES 2014	
	C. OTHER	
VII	PLANNING MATTERS	
	A. PLANNING COMMISSION DECISIONS	34
	B. PLANNING COMMISSION REPORT (MR. BREWER)	
VIII	REPORT OF TOWN MANAGER AND STAFF	
IX	REPORT OF MAYOR AND COUNCILMEMBERS	
	A. CAST/MMC (MAYOR WARNER)	
	B. BRECKENRIDGE OPEN SPACE ADVISORY COMMITTEE (MS. LAWRENCE)	
	C. GOBRECK (MS. WOLFE)	
	D. BRECKENRIDGE HERITAGE ALLIANCE (MS. GIGLIELLO)	
	E. WATER TASK FORCE (MR. GALLAGHER)	
	F. CULTURAL ARTS ADVISORY COMMITTEE (MR. GALLAGHER AND MS. WOLFE)	
X	OTHER MATTERS	
XI	SCHEDULED MEETINGS	39

*Report of the Town Manager, Report of Mayor and Council Members; Scheduled Meetings and Other Matters are topics listed on the 7:30 pm Town Council Agenda. If time permits at the afternoon work session, the Mayor and Council may discuss these items. The Town Council may make a Final Decision on any item listed on the agenda, regardless of whether it is listed as an action item.

XII ADJOURNMENT

*Report of the Town Manager, Report of Mayor and Council Members; Scheduled Meetings and Other Matters are topics listed on the 7:30 pm Town Council Agenda. If time permits at the afternoon work session, the Mayor and Council may discuss these items. The Town Council may make a Final Decision on any item listed on the agenda, regardless of whether it is listed as an action item.

CALL TO ORDER, ROLL CALL

Mayor Warner called the meeting of August 12, 2014 to order at 7:37 pm. The following members answered roll call: Mr. Gallagher, Mr. Brewer, Ms. Lawrence, Mr. Burke, Ms. Wolfe, Ms. Gigliello and Mayor Warner.

APPROVAL OF MINUTES - JULY 22, 2014

Mayor Warner noted one change to the meeting minutes of August 12, 2014, which was to change the word "respectable" on page 5 to "respectful." Mayor Warner then declared they would stand approved with that change.

APPROVAL OF AGENDA

Mr. Gagen stated there were three legislative changes needed to the agenda, which included removing from the agenda Council Bills No. 28, No. 30 and No. 31. Also, adding the work session committee reports under Other Matters.

COMMUNICATIONS TO COUNCIL

A. Citizen's Comment - (Non-Agenda Items ONLY: 3-minute limit please)

Mayor Warner opened Citizen's Comment.
There were no other comments and Citizen's Comment was closed.

B. GoBreck Update

Ms. Lucy Kay, CEO of GoBreck, stated July occupancy was up 5% over last year, and summer is up 11% overall. She further stated VacationRoost July lodging was up, and GoBreck is looking forward to next winter. She also stated conference attendance seems to be up and the Welcome Center is selling Riverwalk Center concert tickets this year. Ms. Kay stated 50 new employees attended orientations organized by the business services committee and the 2015-2016 marketing plan should be finished this month. She stated GoBreck has hired a consultant to help facilitate the Board of Directors from a working board to a governing board, and also to help with 5-year strategic plan.

C. Breckenridge Ski Resort

Ms. Pat Campbell, COO of Breckenridge Ski Resort, stated project updates include a new Colorado Chair, which will be ready for opening day on Nov. 7th and a Peak 9 Restaurant remodel, which should open around Thanksgiving. Also, the Ski Resort recently has been approved to reconfigure the lift unload ramps on Peak 6 and to install a well for drinking water. She also stated Epic Discovery is still in the analysis stage with the Forest Service, and a draft EIS should be finished in December, with the project on track to be approved or rejected in July of 2015. Also, she stated the Resort is working with BOSAC on the realignment of the Peaks Trail at the base of Peak 8. Ms. Campbell then stated Kristen Stewart was in New York working on stories for the upcoming season.

D. USA Pro Cycling Challenge Update

Mr. Rick Oshlo, co-chair of the Local Operating Committee, showed a promotional video clip and TV ad for the race, and then explained the direction of the course this year, including the display of a map and profile. He stated the route will go through town will be about 12 minutes long in Breckenridge, with riders expected to arrive at top of Hoosier Pass 2:40-3:00pm, and the finish expected 3:15-3:45pm. Mr. Oshlo further stated there is new permanent street signage on the Moonstone climb. Mr. Waldes stated the Town should expect the same expense from prior years to host the race, and new this year local retailers will be able to sell race products the day of the race. Ms. Jennifer McAtamney, co-chair of the local Operating Committee, stated the commercial has been running during the Tour de France and the race has been tied to Breck Bike Week this year, and promoted using social media and billboards in Denver. Also, Mayor Warner will give a special award to Jens Voigt at the end of the stage, and full day events include the Strider Cup Challenge, the Pond Crossing at the Dredge, a BOEC Brain Injury Parade, and the Big Head Todd concert at 7pm.

CONTINUED BUSINESS

A. Second Reading of Council Bills, Series 2014 - Public Hearings

1. COUNCIL BILL NO. 25, SERIES 2014 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH THE BASE 9 CONDOMINIUMS HOMEOWNERS ASSOCIATION, A COLORADO NONPROFIT CORPORATION

Mayor Warner read the title into the minutes. Mr. Berry stated this ordinance has two minor amendments and one clarification to the Development Agreement that were included in the memo.

Mayor Warner opened the public hearing. There were no comments and the public hearing was closed.

Mr. Gallagher moved to approve COUNCIL BILL NO. 25, SERIES 2014 - AN

ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH THE BASE 9 CONDOMINIUMS HOMEOWNERS ASSOCIATION, A COLORADO NONPROFIT CORPORATION. Ms. Lawrence seconded the motion.

The motion passed 7 - 0.

2. COUNCIL BILL NO. 26, SERIES 2014 - AN ORDINANCE AMENDING SECTION 4-4-2 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE PAYMENT OF A FINE IN LIEU OF THE SUSPENSION OF A LICENSE TO SELL ALCOHOLIC BEVERAGES

Mayor Warner read the title into the minutes. Mr. Berry stated this ordinance would adopt the State changes regarding liquor penalty fines in lieu of suspension and make them part of Town code. There were no changes to this ordinance from first reading.

Mayor Warner opened the public hearing. There were no comments and the public hearing was closed.

Ms. Gigliello moved to approve COUNCIL BILL NO. 26, SERIES 2014 - AN ORDINANCE AMENDING SECTION 4-4-2 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE PAYMENT OF A FINE IN LIEU OF THE SUSPENSION OF A LICENSE TO SELL ALCOHOLIC BEVERAGES. Mr. Gallagher seconded the motion. The motion passed 7 - 0.

3. COUNCIL BILL NO. 27, SERIES 2014 - AN ORDINANCE AMENDING SECTION 4-14-21 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE DEADLINE FOR THE REQUIRED CLOSURE OF PREMISES LICENSED UNDER THE "TOWN OF BRECKENRIDGE 2013 MARIJUANA LICENSING ORDINANCE" THAT ARE LOCATED WITHIN THE TOWN'S DOWNTOWN OVERLAY DISTRICT

Mayor Warner read the title into the minutes. Mr. Berry stated this ordinance amends the current ordinance that includes a September 1st deadline for the retail Marijuana store in the Downtown Overlay District to move from that location. This ordinance changes the deadline date to February 2, 2015.

Mayor Warner opened the public hearing.

Brian Rogers, representing Breckenridge Cannibus Club, stated he is asking Council to allow for the modification of the premises in this location to allow for more open space. Mr. Berry stated it may be difficult to amend that part of the ordinance at this time of second reading. Mr. Rogers stated the change would make for more effective customer flow, and less congestion in the stairway. Mayor Warner stated we need to take this one issue at a time, and hold the plans for modification for now.

Ms. Catherine Grimm, representing the airport road dispensaries, stated she would like to request an amendment to the minutes of July 22, 2014. She further stated she would like the record to reflect that she did not agree to a 90-day extension of the deadline. She stated she only agreed to a 60-day extension. Mr. Burke and other Council members disagreed with her statement.

Mr. Berry clarified there are no changes from first reading for this bill.

Mr. Gallagher stated he would like to change the deadline to November, and Ms. Wolfe stated she will vote yes on this ordinance based on being given the opportunity to slow down the process. Ms. Wolfe stated she understands the will of the council is to move ahead and we are trend setting, but she feels our circumstances are different, and the process has been rushed. Ms. Lawrence asked Ms. Wolfe if the assumption was that Council wouldn't allow more establishments downtown before that date, and Ms. Wolfe stated that hasn't yet been discussed.

Mr. Burke asked about Mr. Gallagher's November 4th deadline date. Mr. Gallagher stated the issue could drag on until February and he is looking to pull it back to stay focused. Ms. Gigliello stated she agreed with moving the process forward. Mr. Brewer stated he likes the status quo and he believes Council will make a better decision around the other issues by relieving the pressure on the deadline. Ms. Lawrence stated she feels the date is arbitrary, since the Council voted to not move Breckenridge Cannibus Club off Main Street, and she agrees with Mr. Gallagher on the timeline on the regulation of other businesses. Mr. Burke stated we may have to dedicate a Work Session to these issues.

There were no additional comments and Mayor Warner closed the public hearing.

Mr. Brewer moved to approve COUNCIL BILL NO. 27, SERIES 2014 - AN ORDINANCE AMENDING SECTION 4-14-21 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE DEADLINE FOR THE REQUIRED CLOSURE OF PREMISES LICENSED UNDER THE "TOWN OF BRECKENRIDGE 2013

MARIJUANA LICENSING ORDINANCE” THAT ARE LOCATED WITHIN THE TOWN’S DOWNTOWN OVERLAY DISTRICT . Mr. Burke seconded the motion. The motion passed 7 - 0.

NEW BUSINESS

- A. First Reading of Council Bills, Series 2014
1. COUNCIL BILL NO. 28, SERIES 2014 - AN ORDINANCE AMENDING TITLE 12 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE “TOWN OF BRECKENRIDGE WATER ORDINANCE,” CONCERNING WATER PLANT INVESTMENT FEES DUE TO THE TOWN FOR RESTAURANTS AND SNACK BAR/ DELICATESSENS
Not heard at this meeting
 2. COUNCIL BILL NO. 29, SERIES 2014 - AN ORDINANCE REPEALING AND READOPTING WITH CHANGES CHAPTER 2 OF TITLE 6 OF THE BRECKENRIDGE TOWN CODE , INCLUDING ARTICLES 2A, 2B, 2C, AND 2D THEREOF, CONCERNING THE LICENSING AND REGULATION OF ANIMALS
Mayor Warner read the title into the minutes. Chief Haynes stated this ordinance changes the current animal ordinance to update its language to make it more current with the State and County. Ms. Lawrence asked about the fine schedule for unlawful animal noise, and Chief Haynes clarified where it was in the ordinance. Mr. Burke asked for the definition of "habitual offender." Ms. Haynes stated the definition is three or more offenses in one year, and a minimum fine in addition to the dog offense. She further stated Council should refer to the version handed out at the meeting.
Mr. Gallagher moved to approve COUNCIL BILL NO. 29, SERIES 2014 - AN ORDINANCE REPEALING AND READOPTING WITH CHANGES CHAPTER 2 OF TITLE 6 OF THE BRECKENRIDGE TOWN CODE, INCLUDING ARTICLES 2A, 2B, 2C, AND 2D THEREOF, CONCERNING THE LICENSING AND REGULATION OF ANIMALS. Mr. Burke seconded the motion.
The motion passed 7 - 0.
 3. COUNCIL BILL NO. 30, Series 2014 - AN ORDINANCE CONCERNING THE NUMBER OF LICENSES THAT MAY BE ISSUED BY THE LOCAL LICENSING AUTHORITY UNDER CHAPTER 14 OF TITLE 4 OF THE BRECKENRIDGE TOWN CODE , KNOWN AS THE “TOWN OF BRECKENRIDGE 2013 MARIJUANA LICENSING ORDINANCE”
Not heard at this meeting
 4. COUNCIL BILL NO. 31, SERIES 2014 - AN ORDINANCE ADOPTING AMENDMENTS TO CHAPTER 14 OF TITLE 4 OF THE BRECKENRIDGE TOWN CODE , KNOWN AS THE “TOWN OF BRECKENRIDGE 2013 MARIJUANA LICENSING ORDINANCE,” CONCERNING THE LOCATION OF MEDICAL MARIJUANA BUSINESSES AND RETAIL MARIJUANA ESTABLISHMENTS; SUBMITTING SUCH AMENDMENTS TO THE REGISTERED ELECTORS OF THE TOWN OF BRECKENRIDGE FOR FINAL APPROVAL OR DISAPPROVAL AT A SPECIAL TOWN ELECTION TO BE HELD IN CONNECTION WITH THE GENERAL ELECTION ON NOVEMBER 4, 2014; AND PROVIDING FOR THE CONDUCT OF THE ELECTION
Not heard at this meeting
- B. Resolutions, Series 2014
- C. Other

PLANNING MATTERS

- A. Planning Commission Decisions
With no request to call an item off the consent calendar, Mayor Warner declared the Planning Commission Decisions would stand approved as presented.
- B. Planning Commission Report (Mr. Brewer)
Mr. Brewer stated he was out of town for the last meeting.

REPORT OF TOWN MANAGER AND STAFF

Mr. Gagen stated there was no report other than from the I-70 Coalition, which he sent in an email to Council.

REPORT OF MAYOR AND COUNCILMEMBERS

- A. Cast/MMC (Mayor Warner)
Mayor Warner stated there's still tension on the I-70 Coalition regarding paying for another study that studies the economic benefit of the ALS. He further stated construction of

the westbound tunnel is moving along, and use of the hard shoulder will begin sometime soon. He also stated the Forest Service Ski Area Water Rights legal fight seems to be coming to a close.

Mayor Warner stated the Housing Authority is debating a ballot question for 2015 asking for the continuance of the current sales tax to support housing. He also stated the board is looking to refine its communications and looking at a campaign to help people understand what has been done with the tax revenue. Also, he stated several communities have questioned the need for senior housing in general. Mayor Warner stated the transition from workforce to senior housing is becoming an issue in Aspen and Boulder. Also, Ms. Karn Steiglemeier brought up the issue of e-cigarettes in public places. Mr. Burke stated the Restaurant Association may support banning them in the future.

Mayor Warner stated the chipper program was a success, and the County is going to apply for grant money for the program next year.

- B. Breckenridge Open Space Advisory Committee (Ms. Lawrence)
Ms. Lawrence stated some members went with Jeff Zimmerman to look at the Peaks Trail expansion at Peak 8, which allows people to get to Town without going through Cucumber Gulch. She also stated Volunteers for Outdoor Colorado helped to complete the extension of Turks Trail this month. Mr. Brewer stated he rode the new trail and was impressed. Ms. Lawrence further stated there was a piece on 9News about the trail. Mayor Warner stated Scott Reid and his crew has done a great job this summer with expanding the trails.
- C. GoBreck (Ms. Wolfe)
Ms. Wolfe stated there is an Events Committee under the GoBreck board that includes the Ski Resort, the Town, arts groups, and everyone who is conducting an event. She stated Mr. Holman spoke to this group about how to precede the SEPA process, and the group came to the conclusion that there is a need to think through these events, and some things will come to Council. She further stated there are growing pains with events and the Ice Castles were a topic that recently came up and we will bring this event to Council if necessary. Mr. Burke asked if a recommendation about these events would come to Council first, and Ms. Wolfe stated yes, it would be an evaluation process with a recommendation. Mr. Holman stated we need to make sure we are doing things that make sense and have the biggest bang for the buck. Ms. Wolfe stated BMAC started this process and now GoBreck is taking it over. Ms. Wolfe further stated we don't have a master calendar for events at this time, and while the SEPA process has been good with logistics, we need a bigger picture of events.
- D. Breckenridge Heritage Alliance (Ms. Gigliello)
Ms. Gigliello stated she sent an update to the Council by email.
- E. Water Task Force (Mr. Gallagher)
Mr. Gallagher stated the next step is to try to resolve the pending water cases, which includes a meeting on August 22nd with the State Engineer.
- F. Cultural Arts Advisory Committee (Mr. Gallagher and Ms. Wolfe)
Mr. Gallagher stated there was no meeting, but he sent Council members the bio for Michael Lundeen as a nomination to the Cultural Arts Advisory Committee. Ms. Lawrence made a motion to nominate Mr. Lundeen to the Cultural Arts Advisory Committee. Mr. Burke seconded the motion. The nomination passed by voice vote.

OTHER MATTERS

Mayor Warner stated they would do committee updates from the Work Session first.

Mr. Burke stated he believes we need speakers up and down Main Street for big events, and maybe for the next budget Council should think about this. He also asked if we have the conduit to run those wires. Mr. Tom Daugherty, Public Works Director, stated there are conduits for wires. Ms. Lawrence stated she is renting speakers for the duck race, and most individual events rent them. Mr. Daugherty stated there may be a wireless option.

Mr. Burke asked about the North Main Street park, and Mr. Gagen stated the National Historical Register is against adding a restroom in that location because it could change the historical context of that property. Ms. Lawrence stated maybe we need to redesign the park to accommodate that change.

Ms. Gigliello stated she liked the idea of improving Wi-Fi upstairs at the Recreation Center.

Ms. Lawrence stated the sneak peek of the BGV Community Center is this Sunday. She also

stated this is a last fundraising effort.

Mayor Warner stated he received an email from a leadership program that he attended, and they are looking for participants. The program is a week-long and scholarships are available. The program will be in Breckenridge this year.

Mayor Warner also stated Patrick Connellis is the filmmaker for the Marijuana documentary and he is looking for the thoughts of Council members to include in the film.

Mr. Holman stated he is working on a media training in the first part of September, and Nikki will coordinate with Council for a date. Also, there will be a retreat on September 30 for all Council in Vail. The group decided not to meet with Vail Town Council. Mayor Warner stated they plan to hire a facilitator for the meeting.

Ms. Lawrence asked about the bear shooting and Chief Haynes stated there are some things they have found they will do differently in the future. Chief Haynes stated she will be bringing a revision to the penalty ordinance to the Council that will include a change in penalty enforcement for trash violations. Ms. Lawrence asked about messaging to property management companies, and Chief Haynes stated staff has worked with property management companies in the past to educate.

SCHEDULED MEETINGS

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 9:30 pm. Submitted by Helen Cospolich, Municipal Services Manager.

ATTEST:

John Warner, Mayor

DRAFT



MEMORANDUM

To: Mayor and Town Council
From: Shannon Haynes, Chief of Police
Date: August 18th, 2014
Subject: Licensing and Regulation of Animals

The second reading of the ordinance amending the Town's Licensing and Regulation of Animals ordinance is scheduled for the Council meeting on August 26th. There are no changes for second reading.

I will be available at the August 26th meeting to answer questions.

1 **FOR WORKSESSION/SECOND READING – AUG. 26**

2
3 **NO CHANGE FROM FIRST READING**

4
5 COUNCIL BILL NO. 29

6
7 Series 2014

8
9 AN ORDINANCE REPEALING AND READOPTING WITH CHANGES CHAPTER 2 OF
10 TITLE 6 OF THE BRECKENRIDGE TOWN CODE, INCLUDING ARTICLES 2A, 2B, 2C,
11 AND 2D THEREOF, CONCERNING THE LICENSING AND REGULATION OF ANIMALS

12
13 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
14 COLORADO:

15
16 Section 1. Chapter 2 of Title 6 of the Breckenridge Town Code, including Articles 2A,
17 2B, 2C, and 2D of Chapter 2, are repealed and readopted with changes to read as follows:

18 CHAPTER 2

19
20 ANIMALS

21
22 SECTION:

- 23
24 6-2-1: Intent
25 6-2-2: Definitions
26 6-2-3: Strict Liability Offenses
27 6-2-4: Vaccination Of Dogs and Cats Required
28 6-2-5: Annual Licensing Of Dog
29 6-2-6: Failure To Control A Pet Animal
30 6-2-7: Unlawful Animal Noise
31 6-2-8: Animals Confined In Unattended Vehicles
32 6-2-9: Animal Feces
33 6-2-10: Interference With An Owner's Control Of A Pet Animal
34 6-2-11: Interference With An Enforcement Officer
35 6-2-12: Poisoning Of Animals
36 6-2-13: Designation Of Dangerous And Potentially Dangerous Animals:
37 6-2-14: Control Of Dangerous And Potentially Dangerous Animals
38 6-2-15: Dogs Prohibited At Designated Special Events
39 6-2-16: Harassing, Killing, Or Injuring Wildlife
40 6-2-17: Certain Animals Prohibited Within Town

2014 ANIMAL LICENSING AND REGULATION ORDINANCE

- 1 6-2-18: Unlawful Trade In Certain Animals
- 2 6-2-19: Duty To Report Animal Bites And Injury Caused By Animals
- 3 6-2-20: Duty To Produce Biting Animal For Inspection Or Quarantine
- 4 6-2-21: Impoundment Of Animals
- 5 6-2-22: Disposition Of Impounded Animals
- 6 6-2-23: Habitual Offender
- 7 6-2-24: Penalty Assessment Procedure Applicable; When
- 8 6-2-25: Violations; Penalties
- 9 6-2-26: Municipal Court May Order Destruction Of Animal; When
- 10 6-2-27: No Liability For Accident Or Subsequent Disease
- 11 6-2-28: No Restriction On Protective Action
- 12 6-2-29: Hot Pursuit
- 13 6-2-30: Effect Of Adoption Of Chapter On Prior Offenses

14

15 6-2-1: INTENT: It is the intent of this Chapter: (i) that pet animal owners be responsible for the
 16 conduct of their pet animals; (ii) that pet animal owners exercise control with respect to their pet
 17 animals in a manner that recognizes the rights, health, and safety of others in the Town; and (iii)
 18 that pet animal owners be held strictly liable for the conduct of their pet animals that violates the
 19 provisions of this Chapter, unless a specific criminal intent is required by this Chapter.

20 6-2-2: DEFINITIONS: As used in this Chapter the following terms shall have the following
 21 meanings:

ABANDONMENT:

- A. To fail to provide any necessary care for any pet animal, whether on public or private property, for any period of twenty four (24) hours or longer; or
- B. To deposit, leave, drop off, or otherwise dispose of any pet animal on public or private property without providing necessary care.

For the purposes of this Chapter, any pet animal is presumed to be abandoned if, after the posting or personal service of written notice describing deficiencies, the deficiencies are not corrected within twenty four (24) hours of service of such notice.

ANIMAL:

Any living dumb creature.

ANIMAL SHELTER:

Any and all facilities and premises operated by Summit County, Colorado government that provide care for animals impounded pursuant

2014 ANIMAL LICENSING AND REGULATION ORDINANCE

	to this Chapter.
ATTACK:	Aggressive behavior by an animal resulting in bodily injury, serious bodily injury, or death to another animal or a person.
BITE:	The piercing, laceration, or breaking of the skin by the teeth or jaws of any animal.
BODILY INJURY:	Any physical injury that results in severe bruising, a muscle tear, a skin laceration, or physical pain requiring professional medical treatment.
CAT:	Any animal of the species <i>Felis catus</i> or any hybrid thereof.
COMMUNITY SERVICE OFFICER:	Has the meaning and powers described in Section 2-1-6 of this Code.
CONTROL:	Supervision of, or influence over, any animal sufficient to prevent such animal from being in violation of any of the provisions of this Chapter.
CONVICTION:	A finding of guilt by the Municipal Court or an acknowledgement of guilt by payment of fine pursuant to a penalty assessment procedure. For the purposes of this definition, any disposition of a charge involving a deferred judgment and sentence shall be considered to be a conviction, regardless of whether the deferred judgment and sentence is successfully completed.
DANGEROUS ANIMAL:	Any animal that has inflicted bodily injury or serious bodily injury upon or has caused the death of a person or animal.
DOG:	Any animal of the family <i>Canidae</i> , regardless of sex, including, without limitation, those related to the wolf, fox, coyote, or any other

	domestic canid hybrid thereof.
ENFORCEMENT OFFICER:	A community service officer, police officer, or other peace officer authorized to enforce this Chapter.
HABITUAL OFFENDER:	An animal owner who has been convicted of violating any provision of this Chapter three times within any twenty four (24) month period.
HARBOR:	The act of providing premises on which an animal is kept or to which an animal customarily returns daily for food and care.
LEASH:	A substantial chain, rope, cord, or similar device not more than six (6) feet in length that is sufficient to hold an animal in restraint.
LIVESTOCK:	Includes horses, mules, donkeys, burros, cattle, sheep, llamas, and goats.
MISTREATMENT:	Every act or omission that causes or permits the continuation of unnecessary or unjustifiable pain or suffering to an animal.
NECESSARY CARE:	Includes, without limitation, providing food, water, protection from the weather, socialization, and removal of waste from the animal's enclosure.
NEGLECT:	Failure to provide necessary care for an animal.
OWNER:	A person as defined in Section 1-3-2 of this Code who owns, possesses, keeps, has a financial or property interest in, or who otherwise has control or custody of any animal. The term "owner" includes, but without limitation, the parent, guardian, or legal custodian of any unemancipated minor child under eighteen (18) years of age who owns, possesses, or keeps any animal.

POLICE CHIEF:	The Police Chief of the Town of Breckenridge, or his or her designee.
POLICE DEPARTMENT:	The Police Department of the Town of Breckenridge, Colorado, or any employee thereof.
POLICE OFFICER (OR PEACE OFFICER):	Has the meaning provided in Section 6-3-5 of this Code.
PERMITTED AREA OF A SPECIAL EVENT:	The geographic area within which the Town has authorized a special event to be conducted on a specified date and time as described in a special event permit issued pursuant to Title 4, Chapter 13 of this Code. The term “permitted area of a special event” applies only to those date(s) and time(s) specified in the special event permit issued by the Town.
PET ANIMAL:	Dogs, cats, rabbits, guinea pigs, hamsters, mice, ferrets, birds, fish, reptiles, amphibians, and invertebrates, or any species of wild or domestic or hybrid animal sold, transferred, or retained for the purpose of being kept as a household pet, except livestock.
PHYSICAL CONTROL:	Control of an animal: <ul style="list-style-type: none"> A. By means of a tether or a leash that is attached to the animal and held by a responsible person; or, B. Confinement within a locked vehicle or locked enclosure sufficient to prevent the animal from escaping or making contact with other persons or animals.
POTENTIALLY DANGEROUS ANIMAL:	Any pet animal or working dog that when unprovoked: <ul style="list-style-type: none"> A. Inflicts any laceration or bruising upon a human or another animal; B. Chases or approaches a person on any

2014 ANIMAL LICENSING AND REGULATION ORDINANCE

property other than the owner's in a menacing fashion or apparent attitude of attack;
C. Is a poisonous animal; or
D. Is an animal possessing physical characteristics or demonstrated tendencies that would cause a reasonable person to conclude that the animal is likely to inflict injury or cause the death of any person or another animal.

PREMISES:

Real property owned, leased, or otherwise used by an owner. "Premises" includes any confined area or locality such as a residence, business, room, shop, building, and a motor vehicle, including the open bed of a truck, when the animal's presence is authorized by the owner of such confined area or locality.

PROTECTIVE CUSTODY:

The taking of an animal into custody by an enforcement officer to prevent the mistreatment, neglect, or abandonment of the animal; or, the lawful impoundment of an animal because of the owner's inability to care for the animal for any reason.

PROVOCATION:

Harassment, teasing, threatening, tormenting, abusing, striking at, attacking, or inflicting injury upon an animal, or its owner in the animal's presence, by either a person or another animal.

PUBLIC NUISANCE:

A. An animal infected with rabies;
B. A stray pet animal;
C. Any dead animal left by the owner or keeper on a public or private property that is not removed within a twenty four (24) hour period; or
D. The unlawful accumulation of animal feces as described in Section 6-2-9.

QUARANTINE:

The confinement of an animal for observation to detect symptoms of disease.

RESPONSIBLE PERSON:	A person eighteen (18) years of age or older who has the ability to do or perform the action required of a responsible person under this Chapter.
SECURE ANIMAL ENCLOSURE:	A structure that: <ul style="list-style-type: none"> A. Is suitable to prevent the escape of the animal and to prevent the entry of persons, including children, and other animals; B. Has a top, bottom, all sides; and C. Is locked. <p>A secure animal enclosure for a dangerous animal(s) shall be posted with signs on all sides that are visible and legible to passersby, warning of the presence of a dangerous animal.</p>
SERIOUS BODILY INJURY:	Has the meaning provided in Section 6-3-5 of this Code.
SOCIALIZATION:	Activities that enable a pet animal to develop or improve its ability to get along well with other pet animals, the owner, or other people.
SPECIAL EVENT:	An event or occurrence for which a special event permit has been issued by the Town pursuant to Title 4, Chapter 13 of this Code.
TETHER:	A. To tie, chain, or leash any animal upon an owner's property; or B. To tie, chain, or leash any animal to any inanimate object when the animal is not located upon the owner's own property.
VEHICLE:	Has the meaning provided in Section 6-3-5 of this Code.
TRESPASS:	The entry of an animal upon any private property other than that of the animal's owner, or upon public property that is posted as not

permitting animals, or any specific kind of animal.

WILDLIFE:

Means all wild vertebrates, including, any part, product, egg, or offspring thereof, that exist as a species in a natural wild state in their place of origin, presently or historically. The term “wildlife” does not include:

A. Any domesticated animal which may lawfully be kept in the Town pursuant to this Code;

B. Any fish;

C. Any common rodent, including, without limitation, mice, rats and squirrels; or

D. Any crow or other bird which is commonly considered to be a pest or a nuisance.

WILD BIRD:

Includes all undomesticated birds native to North America and includes, without limitation, any domestic duck or goose released by any private person or recreational authority upon any recreational area within the Town.

WORKING DOG:

A dog that is either:

A. Assisting a law enforcement officer;

B. Assisting in rescue efforts;

C. Is a recognized service dog; or

D. Is in the process of being trained for these purposes.

1 6-2-3: STRICT LIABILITY OFFENSES: Unless clearly indicated to the contrary, each offense
2 established by this Chapter is a strict liability offense and does not require proof of specific
3 criminal intent. Proof of performance by a person of conduct that includes a voluntary act or the
4 omission to perform an act which the person is capable of performing is sufficient to establish a
5 violation of any strict liability municipal offense established by this Chapter.

2014 ANIMAL LICENSING AND REGULATION ORDINANCE

1 6-2-4: VACCINATION OF DOGS AND CATS REQUIRED:

2 A. Each owner of a dog or cat that is harbored, kept, or maintained within the Town shall:

- 3 1. have the dog or cat inoculated against rabies by or under the supervision of a licensed
- 4 veterinarian;
- 5 2. maintain the duration of effectiveness of the vaccination; and
- 6 3. maintain proof of current rabies registration for the dog or cat.

7 The rabies vaccine must be approved by the Colorado Department of Public Health and
8 Environment. The rabies vaccination shall be repeated as often as is necessary to maintain the
9 effectiveness of the vaccination as determined by a licensed veterinarian.

10 B. A dog or cat shall be vaccinated against rabies when it reaches the age of three months, or is
11 licensed under this Chapter (if applicable), whichever occurs first.

12 6-2-5: ANNUAL LICENSING OF DOGS:

13 A. Each dog owned, harbored, kept, or maintained within in the Town shall be individually
14 licensed pursuant to this Section.

15 B. The Police Chief may issue a dog license upon the receipt of an executed application,
16 evidence of current rabies registration, and payment of any applicable license fee.

17 C. Each dog over the age of three months shall have a valid dog license after the dog has been
18 harbored, kept, or maintained within in the Town for any consecutive fourteen day period, or
19 immediately upon the issuance of a citation for any violation of this Chapter, whichever occurs
20 first.

21 D. A dog license shall be valid for one year or three years depending upon duration of the rabies
22 vaccination, and is to be specified at the time of the purchase of said license. An owner shall
23 obtain the renewal of the dog license prior to the license expiring.

24 E. A valid dog license tag shall be attached to a collar or harness and shall be worn by the dog at
25 all times. If a dog is unable to wear a collar or harness because of a permanent medical condition
26 certified by a veterinarian, the owner of the dog must have the animal tattooed for identification
27 purposes, or identified by implanted microchip, or in a manner approved by the Police Chief.

28 F. The fee for the issuance of a dog license shall be:

One year (unsterilized)	\$20.00
-------------------------	---------

Three years (unsterilized)	\$60.00
One year (spayed/neutered)	\$5.00
Three years (spayed/neutered)	\$15.00
Lost or replacement license tag	\$5.00

1

2 6-2-6: FAILURE TO CONTROL A PET ANIMAL: It is unlawful and considered a failure to
3 control a pet animal, when:

4 A. A pet animal is not under the direct and competent control of the animal’s owner, or other
5 competent person, by means of a leash not longer than six feet (6’) in length. Provided, however,
6 it shall not be a violation of this section if the pet animal is either:

- 7 1. confined within a motor vehicle; or
8 2. upon the premises of the animal’s owner, or the animal owner’s authorized agent. and
9 is constrained:

10 (a) within the confines of any building or improvement;

11 (b) within the confines of a fence sufficient to keep the animal on the premises;

12 (c) by voice and visual control. A person shall not be found to be in voice and visual
13 control of an animal if such person is located within a motor vehicle or building at
14 the time he or she is required to be in voice and visual control of the animal. Proof
15 that an animal has impeded or interfered with the lawful movement of a person
16 shall create a rebuttable presumption that the animal was not under the voice and
17 visual control of the animal owner or a competent person; or

18 (d) by chain, cord, rope, cable or other similar physical device sufficient to restrain
19 the animal within the boundaries of the premises.

20 B. A pet animal becomes a hazard or causes damage to any person or property;

21 C. A pet animal is tethered upon any public or private property without the permission of the
22 person owning, leasing, or otherwise controlling the property upon which the animal is tethered;

23 D. Any pet animal reaches past the perimeter of the owner’s premises with its teeth or claws
24 causing or threatening bodily injury to another animal or a person, or property damage;

2014 ANIMAL LICENSING AND REGULATION ORDINANCE

- 1 E. A pet animal is allowed to defecate on public or private property and the owner or responsible
2 person does not remove the animal's waste before leaving the immediate area where the waste
3 was deposited;
- 4 F. A female pet animal, during estrus, is not under physical control, confined indoors, or
5 confined within a secure animal enclosure;
- 6 G. Any pet animal is kept or left in circumstances that constitute mistreatment, neglect,
7 abandonment, or in any circumstance requiring protective custody; or
- 8 H. Any pet animal is otherwise determined to be a public nuisance as defined in Section 6-2-2.
9 At the discretion of the Police Chief an allegation that a pet animal is a public nuisance may be
10 prosecuted as provided in Chapter 1 of Title 5 of this Code.

11 6-2-7: UNLAWFUL ANIMAL NOISE:

- 12 A. It is unlawful for any owner to fail to prevent his or her pet animal from disturbing the peace
13 of any other person by repeatedly or continuously barking, howling, yelping, or whining, or any
14 other unprovoked noise, whether the animal is on or off the owner's property.
- 15 B. No person shall be charged with a violation of this Section unless a minimum of one (1)
16 written warning for a separate violation has been given at least seventy two (72) hours prior to
17 the issuance of the summon and complaint or penalty assessment notice (if applicable). An
18 owner shall be deemed to have been issued and received a written warning as required by this
19 subsection if the warning is personally served upon the owner, posted on the owner's premises,
20 or placed in the U. S. Mail, postage prepaid and addressed to the owner according to the last
21 address given by the owner to obtain a dog license, or to such other address as may be on file for
22 the owner with any government agency.

23 6-2-8: ANIMALS CONFINED IN UNATTENDED VEHICLES:

- 24 A. It is unlawful for any vehicle owner, passenger, or operator to place or confine an animal or to
25 allow the animal to be placed, confined, or to remain in an unattended vehicle without sufficient
26 ventilation or under conditions or for such period as may reasonably be expected to endanger the
27 health or well-being of such animal due to heat, cold, lack of water, or such other circumstances
28 as may reasonably be expected to cause suffering, disability, or death to the animal.
- 29 B. Any enforcement officer who finds an animal in a vehicle in violation of this Section may
30 enter the vehicle by using the amount of force reasonably necessary to remove the animal. The
31 officer is authorized to impound and dispose of such animal in the manner provided for in
32 Section 6-2-21 and Section 6-2-22.

33 6-2-9: ANIMAL FECES:

1 A. It is unlawful for any owner to permit the accumulation of animal feces on the premises on
2 which the animal is kept such that it is detectable visually or odoriferously by a person with a
3 normal sense of smell from any adjoining lot, parcel, or tract of land not owned by the owner of
4 animal. .

5 B. It is unlawful for any owner to fail to confine pet animal feces, and any part thereof, within
6 the perimeters of the premises on which the animal is kept, regardless whether such failure is the
7 result of natural causes, such as surface water flow, or other causes.

8 C. No person shall be charged with a violation of this Section unless a minimum of two (2)
9 written warnings for separate violations have been given at least seventy two (72) hours prior to
10 the issuance of the summon and complaint or penalty assessment notice (if applicable). The
11 name and address of the complainant shall appear on the written warning. An owner shall be
12 deemed to have been issued and received a written warning as required by this subsection if the
13 warning is personally served upon the owner, posted on the owner's premises, or placed in the
14 U. S. Mail, postage prepaid and addressed to the owner according to the last address given by the
15 owner to obtain a dog license, or to such other address as may be on file for the owner with any
16 government agency.

17 D. An accumulation of animal feces as described in subsection A of this Section is declared to be
18 a public nuisance and, at the discretion of the Police Chief, may be prosecuted as a public
19 nuisance as provided in Chapter 1 of Title 5 of this Code.

20 6-2-10: INTERFERENCE WITH AN OWNER'S CONTROL OF A PET ANIMAL: It is
21 unlawful for any person to perform any act that interferes with, prevents, or hinders the efforts of
22 an owner to control the owner's pet animal.

23 6-2-11: INTERFERENCE WITH AN ENFORCEMENT OFFICER:

24 A. It is unlawful for any person to interfere with, molest, hinder, prevent, or obstruct an
25 enforcement officer in the performance of the enforcement officer's duties under this Chapter, or
26 other applicable law.

27 B. It is unlawful for any person to remove any animal from public custody without the consent of
28 an enforcement officer.

29 6-2-12: POISONING OF ANIMALS: It is unlawful for any person to poison any pet animal or
30 working dog or to distribute poison in any manner with the intent or for the purpose of poisoning
31 any such pet animal or working dog, with the exception of bats, rats, mice, and insects.

32 6-2-13: DESIGNATION OF DANGEROUS AND POTENTIALLY DANGEROUS ANIMALS:

33 A. The Municipal Court shall have the authority to and shall designate any pet animal or working
34 dog as a dangerous animal or a potentially dangerous animal when the preponderance of

- 1 evidence is that the animal displays any of the characteristics of a dangerous animal or a
2 potentially dangerous animal as defined and described in Section 6-2-2.
- 3 B. An action to have an animal designated as a dangerous animal or a potentially dangerous
4 animal is a civil proceeding, and shall be heard and determined by the Municipal Judge sitting
5 without a jury.
- 6 C. The burden of proof in an action to have an animal designated as a dangerous animal or a
7 potentially dangerous animal shall be on the Town.
- 8 D. The procedures set forth in this Section, and not the procedures set forth in Section 1-8-10 of
9 this Code, shall apply to any action to have an animal designated as a dangerous animal or a
10 potentially dangerous animal.
- 11 E. A civil action to have an animal designated as a dangerous animal or a potentially dangerous
12 animal shall be brought in the name of the Town by filing a complaint in the Municipal Court by
13 the Police Chief, or the Police Chief's authorized representative acting pursuant to Section 1-7-2
14 of this Code that is verified or supported by an affidavit.
- 15 F. The appearance date on the summons shall be not less than twenty (20) days from the date of
16 service of the summons and complaint. The respondent shall file a response or answer on or
17 before the appearance date specified in the summons. The trial shall be held within sixty (60)
18 days of the appearance date unless the Municipal Court grants a continuance for good cause
19 shown. No case shall be continued for more than one hundred twenty (120) days after the
20 appearance date.
- 21 G. If the respondent fails to appear or file a response on the appearance date, and if the Town
22 proves that proper service was made on the respondent at least twenty (20) days prior to the
23 appearance date, the Municipal Court may grant such orders as are requested by the Town,
24 except that, the Municipal Court shall order the enforcement by the Town be stayed for ten (10)
25 days and that a copy of the Municipal Court's order be mailed to the respondent at the
26 respondent's last known address.
- 27 H. The failure of respondent to appear on any date set for hearing and trial shall be grounds for
28 entering a default and default judgment against the respondent.
- 29 I. Prior to the enforcement of any order issued under this Section resulting from the respondent's
30 failure to appear or to file a response, and for good cause shown, the Municipal Court may set
31 aside an entry of default and the default judgment and order entered thereon.
- 32 J. Any disobedience of or interference with an order issued by the Municipal Court pursuant to
33 this Section may be punished as a contempt of Municipal Court, or by a fine not to exceed five
34 hundred dollars (\$500.00). Each day's failure to comply with an injunction or order to abate shall
35 constitute a separate act of contempt for which an additional penalty may be imposed.

2014 ANIMAL LICENSING AND REGULATION ORDINANCE

1 K. To the extent necessary to facilitate just, speedy, informal, and inexpensive determinations of
2 claims, the Municipal Court may use the Colorado Rules of Civil Procedure as a guideline for
3 civil proceeding in Municipal Court under this Section.

4 L. The final judgment of the Municipal Court in a proceeding brought under this Section may be
5 appealed to the Summit County District Court.

6 M. Except with respect to an animal trained for or that has engaged in animal fighting as
7 described in Section 18-9-204, C.R.S., an animal shall not be designated as a dangerous animal
8 or a potentially dangerous animal if the animal owner proves by a preponderance of the evidence
9 that:

- 10 1. The animal that was attacked was trespassing upon the premises of the owner, and the
11 attack began, although it did not necessarily end, upon such premises;
- 12 2. The animal that was attacked was biting or otherwise threatening or attacking the
13 owner or the owner's animal;
- 14 3. The person attacked was committing or attempting to commit a criminal offense,
15 other than a petty offense not including third degree criminal trespass as defined in
16 Section 18-4-504, C.R.S., against a person on the owner's premises or against the
17 premises itself, and the attack which did not cause serious bodily injury began,
18 although did not necessarily end, upon such premises; or
- 19 4. The person attacked had tormented, provoked, abused, or inflicted injury upon the
20 animal that committed the attack.

21 N. When an enforcement officer reasonably believes that an animal is a potentially dangerous or
22 a dangerous animal and that the animal is not under proper control, the officer may use any
23 available means to prevent the endangerment of any person or other animal. Such means shall
24 include impounding the animal or the immediate destruction of the animal after making every
25 reasonable attempt to seize and impound the animal, including solicitation of assistance from the
26 owner if such owner is known and available. If the officer reasonably determines that the animal
27 cannot be seized and impounded without exposing the officer or other person to danger of bodily
28 injury or serious bodily injury, it shall be lawful for the officer to destroy the animal without
29 notice to the owner.

30 6-2-14: CONTROL OF DANGEROUS AND POTENTIALLY DANGEROUS
31 ANIMALS:

32 A. It is unlawful for the owner of a dangerous animal or a potentially dangerous animal to fail to
33 exercise proper control over such animal.

34 B. As used in this Section "proper control of a dangerous animal" is:

2014 ANIMAL LICENSING AND REGULATION ORDINANCE

1 1. While on the owner’s premises, a dangerous animal shall be confined indoors or in a
2 secure animal enclosure; and

3 2. While off the owner’s premises, a dangerous animal shall be under the physical
4 control of the owner, keeper, custodian, or other responsible person, and such
5 dangerous animal shall be muzzled.

6 C. As used in this Section “proper control of a potentially dangerous animal” is:

7 1. While on the owner’s premises, a potentially dangerous animal shall be controlled by
8 a chain, leash, or other method of restraint suitable to prevent the animal from leaving
9 or reaching outside the owner’s premises; and

10 2. While off the owner’s premises, a potentially dangerous animal shall be under the
11 physical control of the owner or other responsible person.

12 D. This Section shall not apply to any felony offense described in Section 18-9-204.5, C.R.S.

13 6-2-15: DOGS PROHIBITED AT DESIGNATED SPECIAL EVENTS:

14 A. It is unlawful for the owner of a dog, or a person in charge or control of a dog, to permit such
15 dog to be within the permitted area of any special event that is held within the Town if:

16 1. A written notice has been posted at or near each main entrance to the special event
17 stating that dogs are prohibited at such event. Such notice shall be not less than eight
18 and one-half inches (8 ½”) in width and eleven inches (11”) in height;

19 2. The dog owner or person in charge or control of the dog has received actual notice
20 from an enforcement officer or a representative of the special event that dogs are
21 prohibited at such event, and the dog owner or person in charge or control of the dog
22 fails or refuses to promptly remove the dog from the permitted area of the special
23 event; or,

24 3. Having previously removed the dog from the permitted area of the special event at the
25 direction of an enforcement officer or representative of the special event, the dog
26 owner or person in charge or control of the dog brings the dog back into the permitted
27 area of the special event.

28 B. Neither physical control nor immediate control of the dog is a defense to prosecution under
29 this Section.

30 C. This section does not apply to:

31 1. working dogs; or

1 2. dogs authorized to be in the permitted area of a special event in the special event
2 permit issued by the Town.

3 6-2-16: HARASSING, KILLING, OR INJURING WILDLIFE:

4 A. It is unlawful for any person to willfully and unnecessarily shoot, throw objects at, capture,
5 chase, injure or destroy any bird, animal or wildlife anywhere within the Town; provided,
6 however, that this Section A does not prohibit the throwing of objects at coyotes for the purpose
7 of hazing as recommended by Colorado Parks and Wildlife.

8 B. No owner shall intentionally, knowingly, recklessly, or with criminal negligence allow a dog
9 or cat to harass wildlife, whether the wildlife is actually injured or not.

10 C. No person shall willfully destroy, rob, or injure the nest, nesting place, burrow, eggs or
11 offspring of any wild bird or other wildlife anywhere within the town.

12 D. The provisions of this section do not apply to personnel of any police, fire, or animal control
13 agency, the Colorado Division of Wildlife, the Colorado Department of Public Health and
14 Environment, or other state or federal agency when such persons are acting within the scope of
15 their official duties. The provisions of this Section shall further not apply to any person
16 authorized by the Colorado Division of Wildlife to kill wildlife which are causing excessive
17 damage to property.

18 E. The provisions of this Section are not intended to allow the destruction of any bird or animal
19 protected by the laws of the state of Colorado or the United States of America.

20 6-2-17: CERTAIN ANIMALS PROHIBITED WITHIN TOWN:

21 A. It is unlawful for any person to keep, maintain, possess, or harbor any livestock or any fowl,
22 swine, chicken, goose, duck, or turkey anywhere within the Town.

23 B. Nothing in this Section prohibits the keeping of a horse in a commercial stable when
24 authorized by a development permit issued pursuant to Title 9, Chapter 1 of this Code, or the
25 keeping of any other animal when authorized by any other Town ordinance or permit.

26 6-2-18: UNLAWFUL TRADE IN CERTAIN ANIMALS: It is unlawful for any person to own,
27 keep, maintain, possess, harbor, sell or in any manner deal or traffic within the Town in any
28 living exotic, wild, dangerous or unusual animal, whether domesticated or tamed, including,
29 without limitation: bats of any species; felines, other than ordinary domesticated house cats;
30 gorillas, chimpanzees, orangutans, baboons, or any other infrahuman primate; any member of the
31 Mustelidae family, including, without limitation, fishers, ferrets, martens, minks, otters,
32 porcupines, raccoons, skunks, weasels and wolverines; poisonous reptiles; wolves, foxes,
33 coyotes or other species of canines other than dogs; any animal or bird that has received state or
34 federal government designation as an endangered species; or any other terrestrial predator or

1 other animal determined to be a public nuisance pursuant to the provisions, procedures and
2 means of abatement established by the ordinances of the Town.

3 6-2-19: DUTY TO REPORT ANIMAL BITES AND INJURY CAUSED BY ANIMALS: It is
4 unlawful for any medical personnel who provide treatment to a person or animal for an animal
5 bite or injury caused by a pet animal or working dog to fail to report to the Police Department
6 any information known regarding the animal bite or injury. The report shall be made within
7 twenty four (24) hours after such information is received, and shall include with the report the
8 name, address, and telephone number of the person making the report. The report may be made
9 by telephone to the front desk of the Police Department, or may be left on the Police
10 Department's voice mail or communicated to the Police Department by other electronic means.

11 6-2-20: DUTY TO PRODUCE BITING ANIMAL FOR INSPECTION OR
12 QUARANTINE:

13 A. Upon the request of an enforcement officer, an owner shall make available for inspection
14 and/or quarantine any pet animal or working dog that has bitten a person or is suspected of biting
15 a person.

16 B. If the quarantine of a pet animal is deemed necessary, the Police Chief shall determine the
17 location and place of quarantine.

18 C. All costs of a quarantine shall be paid by the owner of the quarantined pet animal or working
19 dog.

20 D. If the quarantine of a pet animal or working dog is deemed necessary, the disposition of the
21 animal shall be at the discretion of the Police Chief in accordance with the requirements set forth
22 in Section 6-2-21 of this Chapter.

23 6-2-21: IMPOUNDMENT OF ANIMALS:

24 A. An enforcement officer may impound any animal that is not under control as required by this
25 Chapter, or when it or its owner is in violation of any of the provisions of this Chapter.

26 B. An enforcement officer may impound any dangerous animal or potentially dangerous animal
27 that is not under proper control if the officer reasonably determines that the animal is in apparent
28 violation of the applicable provisions of Section 6-2-14. An enforcement officer may perform
29 such impoundment prior to notifying the owner if such owner is not immediately present to
30 exercise proper control of such animal.

31 C. As soon as practical after the impoundment of any animal, an enforcement officer shall make
32 a reasonable effort to notify the animal's owner in person, by telephone, by posting of a notice at
33 the owner's residence, or by written notice mailed to the owner's last known address, if the

1 identity of the owner is known. If needed to establish the identity of the owner, information
2 contained on any identification, rabies, or license tag found attached to the animal shall be used.

3 D. It is the obligation of the owner of any animal that has been impounded to pay all fees and
4 charges lawfully imposed by the animal shelter in connection with the impoundment, care, and
5 disposition of the animal. It is unlawful for the owner to fail or refuse to pay such fees and
6 charges.

7 E. The failure or refusal to retrieve any impounded animal by the owner of said animal shall not
8 relieve said owner of the duty to pay the impoundment fee and other charges which have been
9 assessed.

10 6-2-22: DISPOSITION OF IMPOUNDED ANIMALS: Any animal impounded pursuant to the
11 provisions of this Chapter shall impounded at the animal shelter, and shall become the property
12 and responsibility of Summit County, Colorado government after the animal has been
13 impounded for five (5) days without being claimed. After such time the animal may be humanely
14 euthanized in accordance with the established policies and practice of the animal shelter. For
15 purposes of this Section, a “day” means a twenty four (24) hour period beginning at time and day
16 when the animal was taken into public custody.

17 6-2-23: HABITUAL OFFENDER: It is unlawful for any person to become a habitual offender as
18 defined in Section 6-2-2. Any person may be charged as a habitual offender in addition to any
19 other charges brought pursuant to this Chapter. Upon the conviction of an owner as a habitual
20 offender, the owner’s offending animal(s) may be ordered permanently removed from the Town,
21 along with any other appropriate penalty imposed by the Municipal Court.

22 6-2-24: PENALTY ASSESSMENT PROCEDURE APPLICABLE; WHEN:

23 A. Any infraction described in this Chapter may be written using a penalty assessment procedure
24 if the such infraction is listed on the Municipal Judge’s list of designated violations the penalties
25 for which may be paid at the office of the Municipal Court Clerk as described in Rule 201(b) of
26 the Colorado Rules of Municipal Court Procedure.

27 B. The penalty assessment procedure for any infraction described in this Chapter shall be as
28 provided in Section 1-8-12(K) of this Code.

29 C. In no case may an officer issue a penalty assessment notice for a violation of any infraction
30 described in this Chapter to a minor under the age of eighteen (18) years. All charges against
31 minors shall require a mandatory court appearance.

32 6-2-25: VIOLATIONS; PENALTIES:

33 A. It is an infraction for any person to violate any provision of this Chapter that not does involve
34 a dangerous or potentially dangerous animal. Any person found to be in violation of, or against

1 whom a default judgment has been entered for any infraction described in this Chapter, shall be
2 punished as provided in Section 1-4-1-1 of this Code.

3 B. It is unlawful and a misdemeanor offense for any person to violate any provision of this
4 Chapter that is not classified as an infraction. Any person found to be in violation of any
5 provision of this Chapter that is not classified as an infraction shall be punished as provided in
6 Section C, below.

7 C. The following fines shall apply to violations of this Chapter and shall be applied either
8 through a penalty assessment procedure, or by the Municipal Court after conviction, in which
9 case the Municipal Court shall also assess the appropriate court costs:

10 1. For all violations not involving a dangerous or potentially dangerous animal:

First offense:	\$50.00
Second offense within 18 months:	\$100.00
Subsequent offense within 18 months:	\$200.00

11
12 2. For all violations involving potentially dangerous animal:

First offense:	\$200.00
Second offense within 18 months:	\$400.00
Subsequent offense within 18 months:	Mandatory court appearance and mandatory minimum fine of \$600.00

13
14 3. For all violations involving failure to control a dangerous animal:
15 Mandatory court appearance and a mandatory minimum fine of \$600.00

16 4. For all violations involving a charge of habitual offender
17 Mandatory court appearance and mandatory minimum fine of \$300.00.

18 5. For all other violations of this Chapter the violator shall be punished as provided in
19 Section 1-4-1 of this Code.

20 6. The penalties set forth above in this Section C are minimum penalties, and a violator
21 who commits a violation of any provision of this Chapter that is not classified as an
22 infraction is also subject to the general fine and imprisonment provisions of Chapter 4
23 of Title 1 of this Code.

2014 ANIMAL LICENSING AND REGULATION ORDINANCE

1 6-2-26: MUNICIPAL COURT MAY ORDER DESTRUCTION OF ANIMAL; WHEN: In
2 addition to any penalties that are provided for in this Chapter, the Municipal Court shall have the
3 authority, upon making a finding that the animal constitutes a real and present danger to the
4 citizens of the Town, to order that the animal be destroyed in a humane fashion.

5 6-2-27: NO LIABILITY FOR ACCIDENT OR SUBSEQUENT DISEASE: Neither the Town,
6 nor any its elected officials, officers, employees, agents, and persons authorized to enforce this
7 Chapter, shall be held responsible for any accident or subsequent disease that may be suffered by
8 a person or an animal as a result of the administration or implementation of this Chapter.

9 6-2-28: NO RESTRICTION ON PROTECTIVE ACTION: Nothing in this Chapter shall be
10 interpreted or construed to prevent an enforcement officer from taking whatever action is
11 reasonably necessary to protect himself, herself, or others from bodily injury or serious bodily
12 injury caused by any animal.

13 6-2-29: HOT PURSUIT: An enforcement officer in hot pursuit of any animal in apparent
14 violation of this Chapter may enter onto private property for the purposes of enforcing this
15 Chapter, including, for the purpose of effecting an impoundment, removing the animal from the
16 premises, ascertaining the identity of the animal and/or the current status or existence of a license
17 tag, or issuing a citation. This Section, however, does not grant any enforcement officer authority
18 to enter into any dwelling without either permission of the owner, a search warrant, or a
19 Municipal Court order.

20 6-2-30: EFFECT OF ADOPTION OF CHAPTER ON PRIOR OFFENSES: The adoption of this
21 Chapter shall not affect or prevent the prosecution or punishment of any person for any act done
22 or committed in violation of any Town ordinance that was in effect prior to this Chapter taking
23 effect.

24 Section 2. The definition of “Serious Bodily Injury” in Section 6-3-5 of the Breckenridge
25 Town Code is amended to read as follows:

SERIOUS BODILY INJURY:

Bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of the second or third degree.

26

27 Section 3. Except as specifically amended by this ordinance, the Breckenridge Town
28 Code, and the various secondary codes adopted by reference therein, shall continue in full force
29 and effect.

1 Section 4. The Town Council finds, determines, and declares that this ordinance is
2 necessary and proper to provide for the safety, preserve the health, promote the prosperity, and
3 improve the order, comfort, and convenience of the Town of Breckenridge and the inhabitants
4 thereof.

5 Section 5. The Town Council finds, determines, and declares that it has the power to
6 adopt this ordinance pursuant to: (i) Section 31-15-401(1)(m), C.R.S.; (ii) the authority granted
7 to home rule municipalities by Article XX of the Colorado Constitution; and (iii) the powers
8 contained in the Breckenridge Town Charter.

9 Section 6. This ordinance shall be published and become effective as provided by Section
10 5.9 of the Breckenridge Town Charter.

11 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED
12 IN FULL this ____ day of _____, 2014. A public Hearing shall be held at the regular meeting of
13 the Town Council of the Town of Breckenridge, Colorado on the ____ day of _____, 2014, at 7:30
14 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

15
16 TOWN OF BRECKENRIDGE, a Colorado
17 municipal corporation
18
19
20

21 By: _____
22 John G. Warner, Mayor
23

24 ATTEST:
25
26
27

28 _____
29 Helen Cospolich
30 Town Clerk
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

500-352\Animal Control Ordinance_5 (08-15-14)(Second Reading)

2014 ANIMAL LICENSING AND REGULATION ORDINANCE



MEMORANDUM

TO: Town Council

FROM: Julia Puester, AICP, Senior Planner

DATE: August 19, 2014 for meeting of August 26, 2014

SUBJECT: Sign Code Amendment First Reading-Sandwich Board Signage Outside of the Town Core

At a previous work session, Council discussed recent issues with the sign code related to sandwich board signs and outdoor display of merchandise. The Council gave staff direction to reconvene the SustainableBreck Business Task Force to get feedback and direction on potential changes to the code regarding sandwich board signs and outdoor display of merchandise within the core of Town. The first meeting of the Business Task Force is scheduled for August 21.

With regard to the area outside of the core of Town, staff heard Council indicate less of a concern for allowing sandwich board signs. The area outside of the core has little pedestrian traffic to interfere with such signage and typically has more private property available on which to display a sign. To address the area outside of the core of Town immediately, prior to the Task Force working out details on what is allowed inside the core, staff has prepared an ordinance for first reading.

The proposed ordinance:

- Applies only to the areas outside of the Town core and is consistent with the land use districts which allow for outdoor display of merchandise (Breckenridge Town Code Title 9, Chapter 7);
- Addresses sandwich board signs only;
- Allows sandwich board signs on private property;
- Sets a limit on the material of the sign (non-reflective metal, blackboard, whiteboard, or wood);
- Sets a limit of 1 per business; and
- Limits the size to 4 square feet per side.

The Town Attorney has prepared an attached proposed Sign Code Amendment for first reading. Staff will be available at the work session to answer questions.

We welcome Council comments.

1 **FOR WORKSESSION/FIRST READING – AUG. 26**

2
3 Additions To The Current Breckenridge Town Code Are
4 Indicated By **Bold + Double Underline**; Deletions By ~~Strikeout~~

5
6 COUNCIL BILL NO. ____

7
8 Series 2014

9
10 AN ORDINANCE AMENDING CHAPTER 2 OF TITLE 8 OF THE BRECKENRIDGE
11 TOWN CODE, KNOWN AS THE “BRECKENRIDGE SIGN ORDINANCE,” CONCERNING
12 SANDWICH BOARD SIGNS

13
14 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
15 COLORADO:

16
17 Section 1. The definition of “Sandwich Board Sign” in Section 8-2-3 of the Breckenridge
18 Town Code is amended to read as follows:

19 SANDWICH BOARD SIGN:

A sign that is constructed with two (2) pieces of material **nonreflective metal, blackboard, whiteboard, or wood**, connected at the top, which pieces form a triangular shape and are self-supporting; also known as an “A-frame” sign. A sandwich board sign may be depicted as follows:



20 Section 2. Section 8-2-3 of the Breckenridge Town Code is amended by the inclusion of
21 the following definitions:
22

BUSINESS:

The holder of a valid license issued by the Financial Services Manager under Chapter 1 of Title 4 of this Code.

ON PREMISES SIGN:

A sign which advertises a business, merchandise, product, service or entertainment which is sold, produced, manufactured, furnished or which is available on the property where the sign is located.

1
2 Section 3. Section 8-2-6 of the Breckenridge Town Code is amended by the addition of a
3 new subsection Y, which shall read as follows:
4

5 **Y. Sandwich Board Signs: One (1) on premise sandwich board sign per**
6 **business if the sign is located on the private property of the business, and**
7 **does not exceed: (a) four square feet per side if it has copy on both sides; or**
8 **(b) a total of four square feet if it has copy on only one side; provided,**
9 **however, this exemption does not apply within land use districts, 17, 18, 18²,**
10 **19, 20, 23, 24, 25 and that portion of land use district 11 which lies south of**
11 **the intersection of French Street and Highway 9.**
12

13 Section 4. Section 8-2-15 of the Breckenridge Town Code is amended to read as follows:
14

15 8-2-15: PROHIBITED SIGNS:
16

17 It shall be unlawful for any person to erect, construct or maintain any of the following
18 types of signs or devices:
19

- 20 A. Attention getting devices.
 - 21 B. Backlit signs.
 - 22 C. Flashing signs.
 - 23 D. Moving signs.
 - 24 E. Neon signs.
 - 25 F. Off premises signs, except as specifically authorized in subsection 8-2-6I and
26 Section 8-2-14-1 of this Chapter.
 - 27 G. Signs with reflective surfaces.
 - 28 H. Roof signs.
 - 29 I. Sandwich board signs, except as specifically authorized in ~~Subsection 8-2-14B~~
30 **Subsection 8-2-6Y and Subsection 9-1-19-45A(E)(4)** of this Chapter **Code**.
 - 31 J. (Rep. by Ord. 6, Series 2004)
 - 32 K. Temporary signs, including banners, except as specifically authorized in Section
33 8-2-14 of this Chapter.
 - 34 L. Window signs, except as specifically authorized pursuant to subsection 8-2-6S of
35 this Chapter.
- 36

37 Section 5. Except as specifically amended hereby, the Breckenridge Town Code, and the
38 various secondary codes adopted by reference therein, shall continue in full force and effect.
39

40 Section 6. The Town Council hereby finds, determines and declares that this ordinance is
41 necessary and proper to provide for the safety, preserve the health, promote the prosperity, and
42 improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants
43 thereof.
44

45 Section 7. The Town Council hereby finds, determines and declares that it has the power

1 to adopt this ordinance pursuant to: (i) the Local Government Land Use Control Enabling Act,
2 Article 20 of Title 29, C.R.S.; (ii) Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal
3 zoning powers); (iii) Section 31-15-103, C.R.S. (concerning municipal police powers); (iv)
4 Section 31-15-401, C.R.S.(concerning municipal police powers); (v) the authority granted to
5 home rule municipalities by Article XX of the Colorado Constitution; and (vi) the powers
6 contained in the Breckenridge Town Charter.
7

8 Section 8. The Town Council hereby finds, determines and declares that it has the power
9 to adopt this ordinance pursuant to the authority granted to home rule municipalities by Article
10 XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.
11

12 Section 9. This ordinance shall be published and become effective as provided by Section
13 5.9 of the Breckenridge Town Charter.
14

15 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
16 PUBLISHED IN FULL this ____ day of _____, 2014. A Public Hearing shall be held at the
17 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of
18 _____, 2014, at 7:30 P.M., or as soon thereafter as possible in the Municipal Building of the
19 Town.
20

21 TOWN OF BRECKENRIDGE, a Colorado
22 municipal corporation
23

24
25 By _____
26 John G. Warner, Mayor
27

28 ATTEST:
29
30

31 _____
32 Helen Cospolich
33 Town Clerk
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

MEMORANDUM

To: Town Council

From: Peter Grosshuesch, Director of Community Development

Date: August 20, 2014

Re: Planning Commission Decisions of the August 19, 2014, Meeting.

DECISIONS FROM THE PLANNING COMMISSION AGENDA OF August 19, 2014:

CLASS C APPLICATIONS:

1) Summit Premier Residence (SG) PC#2014065; 284 Timber Trail Road
Construct a new, single family residence with 5 bedrooms, 5.5 bathrooms, 5,206 sq. ft. of density and 6,204 sq. ft. of mass for a F.A.R. of 1:4.94. Approved.

CLASS B APPLICATIONS:

None.

CLASS A APPLICATIONS:

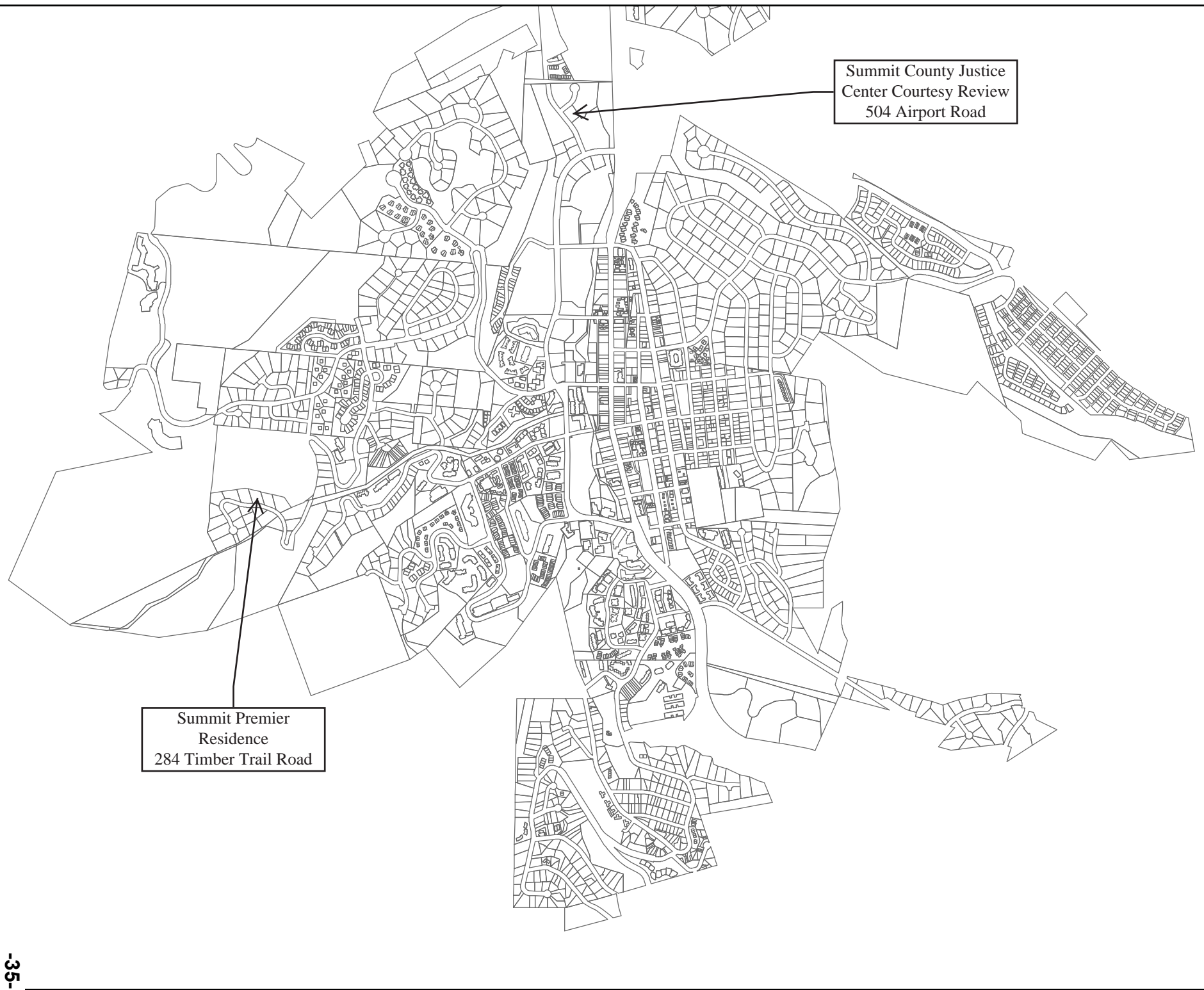
None.

TOWN PROJECT HEARINGS:

None.

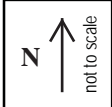
OTHER:

1) Summit County Justice Center DA's Office Courtesy Review (MGT) PC#2014070; 504 Airport Road
Courtesy review of an application to expand and renovate the existing South Branch Library building into a new District Attorney and Probation Office. Approved.



Summit Premier
Residence
284 Timber Trail Road

Summit County Justice
Center Courtesy Review
504 Airport Road



Breckenridge South

Town of Breckenridge and Summit County governments assume no responsibility for the accuracy of the data, and use of the product for any purpose is at user's sole risk.



PLANNING COMMISSION MEETING

The meeting was called to order at 7:00pm

ROLL CALL

Eric Mamula Kate Christopher
Dan Schroder Jim Lamb Dave Pringle
Ben Brewer, Town Council Liaison
Ron Schuman and Gretchen Dudney were absent.

APPROVAL OF AGENDA

With no changes, the August 19, 2014, Planning Commission Agenda was approved as presented.

APPROVAL OF MINUTES

With no changes, the August 5, 2014, Planning Commission Minutes were approved as presented.

CONSENT CALENDAR:

1) Summit Premier Residence (SG) PC#2014065; 284 Timber Trail Road

Commissioner Questions / Comments:

Mr. Mamula: How much of the driveway is at 10%?

Mr. Greenburg: Most of it. The grade question is an engineering standard. As long as the applicant provides a place for an emergency vehicle to park at a 4% grade it is OK per engineering. It can also be on the street like in this case.

Mr. Mamula: If it is not a place on the street?

Mr. Greenburg: It would be in the first 25' of the driveway or the road. According to the fire department it is OK to be on the road. We have this verbally from them but are waiting for something in writing.

Mr. Mamula : I don't remember one being this steep in the past.

Mr. Greenburg: I don't remember that either but this is an engineering call. Engineering said they will write a variance letter. If they don't then the plan will have to be revised.

Mr. Mamula : But this will let the town out of being liable if the next owner has their house burn down because the fire department couldn't reach it ?

Mr. Greenburg : The fire department is involved and will have to support the variance for Engineering to issue it in this case.

The consent calendar was approved as presented.

TOWN COUNCIL REPORT:

Mr. Brewer, Town Council liaison: At the August 12 meeting, we approved 7-0 to allow the Cannabis Club on Main Street extension until February. We decided to move forward on hammering out the details of the guidelines should retail marijuana businesses be allowed on Main Street. The Council is very split on the issue if it should be permitted on Main Street or not but we agreed that the issue should not be on this upcoming ballot. We might be able to agree on the restrictions if retail were to be allowed on Main Street. We need to figure out details like do they have to be on the second floor, how close they are to each other, how many are on the same block, and to establish the caps on the number of establishments. We will keep working through whether it should be allowed on Main Street or not.

(Mr. Pringle: Should you go to great lengths to establish these rules, how can you make sure a future Council won't change them?)

Mr. Brewer: There isn't anything that could stop a future council from changing these caps and regs, but this will be part of our discussion. However, a later Council could change anything that the current Council puts in

place on any issue. That is the nature of the process. I appreciate your comments.

(Mr. Pringle: I don't know how permanent these policies will be, we shouldn't take comfort in this being permanent.)

Mr. Brewer: The previous Council wouldn't let any shops in the core. We can assume that there will be changes in the future with future Councils.

(Mr. Pringle: I understand that, I just want to make sure we take into account all of the unintended consequences. Central City, Cripple Creek, and Black Hawk wanted to boost their economies a little with limited stakes gambling, but they've seen character changing consequences. I don't know if we always look far enough into the future with decisions that could impact this town.)

(Mr. Mamula: Are you planning first reading next meeting?)

Mr. Brewer: Not sure we are there yet but it is possible. We will still have a work session and see how far we get.

(Mr. Mamula: How are you going to make sure that the public knows that there is going to be a first reading? I think it is important to make sure as many people as possible know about the first reading so that the second reading is not the time that everyone shows up to show their concerns.)

Mr. Brewer: In addition, at the last Council meeting we passed on first reading an increase in fines on animal offenses. We hope that people will show up for the second reading if they have input. This passed 7-0. I think that the fines are too low for a dog biting someone, personally. We put in a ton of work on this topic. The police chief addressed that they will take things on a case by case basis for a pet offense to make sure that it's not people calling in on a dog that they don't like for not much reason. Breckenridge has always been a very pet friendly place, but we do have issues with people not cleaning up after their pets and this was addressed in our work too.

COMBINED HEARINGS:

1) Summit County Justice Center DA's Office Courtesy Review (MGT) PC#2014070; 504 Airport Road
Mr. Thompson presented an application to expand and renovate existing library building into a new District Attorney and Probation Office. A separate application has been filed to vacate the lot line between Parcel C and Parcel B and the utility, access and drainage easement to the east of the existing building. Staff conducted a courtesy point analysis and found no reason to warrant positive or negative points for this application. Applicant has agreed to vacate the lot line so there are no negative points for the placement of the structure. The Planning Department recommended approval of the Summit County District Attorney and Probation Office courtesy review. Scott Vargo was in attendance on the County's behalf.

Commissioner Questions / Comments:

Mr Pringle: What is on lot 4 or proposed on lot 4 (to the north)?

Mr. Vargo: We don't have any plans now, that was intended as the new location of the library before the other library plans were made.

Mr. Pringle: Does Rankin Drive have to exist for the other parcels?

Mr. Thompson: As long as it stays part of the Summit County Justice Center, it should be fine to vacate it as a public right of way. The access would still be there, just as a private drive for the lots.

Mr. Lamb: The only thing I see is that it is used for is helicopter and ambulances.

Mr. Thompson: The town would like it to just be a County driveway, we aren't asking them to tear up the road, just maintain it. It (the building) as designed now is 2.5' from property line so that meets our setback requirements.

Mr Mamula: Originally when this library was built there was a sum of money that was put towards it from the town, did this move to the new location?

Mr. Vargo: Yes it did.

The public hearing was opened. No comments from the public.

Mr Mamula: I think it is great.
Mr. Schroder: I'm good
Mr. Pringle: I'm good too.
Ms. Christopher: Me too.
Mr. Lamb: Me as well.

Ms. Christopher made a motion to agree with the point analysis on the Summit County Justice Center DA's Office Courtesy Review, PC#2014070, 504 Airport Road. Mr. Schroder seconded, and the motion was carried unanimously (6-0).

Ms. Christopher made a motion to approve the Summit County Justice Center DA's Office Courtesy Review, PC#2014070, 504 Airport Road. Mr. Schroder seconded, and the motion was carried unanimously (6-0).

OTHER MATTERS:

Ms. Puester presented a discussion on Planning Commission field trip ideas. A Cellular antenna facility ordinance will be coming before the Planning Commission shortly which would incentivize areas outside of historic district and co-location between carriers. There are a lot of minute details in this ordinance we are working through. One thought for the field trip was to go west between here and Eagle and look at the various towers that are out there to familiarize the Commission with various strategies to make them blend in with the urban environment. We are also looking at a potential redevelopment of the City Market strip center. We could potentially tack this onto the trip as well. The other option is looking at the steep lot issues which we have been struggling with at times here. The easy lots are gone now and we are seeing more of the steep lots being built on. We may be able to do a combination of these. If there are other suggestions or ideas, we are open to them.

Commissioner Questions / Comments:

Mr. Lamb: I like the cell phone tower idea.
Mr. Schroder: A good couple of suggestions and keeping it close (to Breckenridge) is a good idea. We are seeing a lot more steep lots develop, more retaining walls and long driveways.
Mr. Mamula: With the steep lots, I would like to look at examples in town and see what has gone on in places like the Highlands to remind us where the steep lots are that are left to be developed. I think the City Market is a bit down the road. (Mr. Grossheusch: There will be another year before we have another field trip, and we may see plans on City Market before then.)
Mr. Christopher: I like all of the suggestions.
Mr. Puester: I will send out some dates to all of you.
Mr. Pringle: We have four meetings before we will potentially see a change on the Planning Commission members. Ron Schuman, Kate Christopher, Gretchen Dudney and Eric Mamula will be up in October (at the end of that month). Is everyone submitting to re-up? We should set the date for our field trip for after the Planning Commission appointment change.

ADJOURNMENT:

The meeting was adjourned at 7:45 pm.

Jim Lamb, Chair



Scheduled Meetings, Important Dates and Events

Shading indicates Council attendance – others are optional

The Council has been invited to the following meetings and events. A quorum may be in attendance at any or all of them. All Council Meetings are held in the Council Chambers, 150 Ski Hill Road, Breckenridge, unless otherwise noted.

AUGUST 2014

Friday, August 22, 2014 USA Pro Cycling Challenge

Tuesday, August 26, 2014; 3:00/7:30 pm Second Meeting of the Month

SEPTEMBER 2014

Tuesday, September 9, 2014; 3:00/7:30 pm First Meeting of the Month

Friday-Sunday, September 12-14, 2014 Breckenridge Oktoberfest

Friday, September 19, 2014; 8-9am; TBA Coffee Talk

Saturday, September 20, 2014; Vail Special Council Retreat

Tuesday, September 23, 2014; 3:00/7:30 pm Second Meeting of the Month

OCTOBER 2014

Tuesday, October 14, 2014; 3:00/7:30 pm First Meeting of the Month

Friday, October 17, 2014; 8-9am; TBA Coffee Talk

Tuesday, October 28, 2014; 8am-5pm Town Council Budget Retreat

NOVEMBER 2014

Tuesday, November 11, 2014; 3:00/7:30 pm First Meeting of the Month

Friday, November 14, 2014; 8-9am; TBA Coffee Talk

Tuesday, November 25, 2014; 3:00/7:30 pm Second Meeting of the Month

OTHER MEETINGS

4 th Monday of the Month; 4:00 p.m.	Cultural Arts Advisory Committee; Riverwalk Center
1 st & 3 rd Tuesday of the Month; 7:00 p.m.	Planning Commission; Council Chambers
1 st Wednesday of the Month; 4:00 p.m.	Public Art Commission; 3 rd floor Conf Room
2 nd & 4 th Tuesday of the Month; 1:30 p.m.	Board of County Commissioners; County
2 nd Thursday of every other month (Dec, Feb, Apr, June, Aug, Oct) 12:00 noon	Breckenridge Heritage Alliance
2 nd & 4 th Tuesday of the month; 2:00 p.m.	Housing/Childcare Committee
2 nd Thursday of the Month; 5:30 p.m.	Sanitation District
3 rd Monday of the Month; 5:30 p.m.	BOSAC; 3 rd floor Conf Room
3 rd Tuesday of the Month; 9:00 a.m.	Liquor Licensing Authority; Council Chambers
4 th Wednesday of the Month; 9:00 a.m.	Summit Combined Housing Authority
4 th Wednesday of the Month; 8:30 a.m.	GoBreck; GoBreck Offices
4 th Thursday of the Month; 7:00 a.m.	Red White and Blue; Main Fire Station
4 th Monday of the Month; 3:00 p.m.	Childcare Advisory Committee; Town Hall

Town of Breckenridge Executive Summary

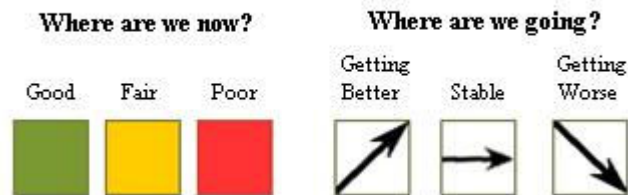
Economic Indicators

(Published August 20, 2014)

Indicator Monitoring System

Up and down arrow symbols are used to show whether the indicator appears to be getting better, appears stable, or is getting worse. We have also designated the color green, yellow or red to display if the indicator is currently good, fair or poor. Please note months of data will vary with indicator, based on the most recent information available.

KEY



Unemployment: Local (June 2014)

Summit County's unemployment rate decreased to 4.6% in June. This rate is lower than the June 2013 rate of 7.4% and the June 2012 rate of 8.9%. Summit's June rate is lower than that of Pitkin County (5.8 %) and Eagle County (5.3 %). (Source: BLS)



Unemployment: State (June 2014)

The Colorado State unemployment rate decreased to 5.5 % in June. This June rate is lower than the June 2013 rate of 7.0 %. (Source: State of Colorado)



Unemployment: National (June 2014)

The national unemployment rate dropped to 6.1 % in June. Since 2011, we have seen the national rate continue a general incremental downward trend. June 2014 has seen a notable drop from last June's rate of 7.6% and the June 2012 rate of 8.2%. (Source: BLS)



Destination Lodging Reservations Activity (July 2014)

Occupancy rates increased 5.0 % for the month of July compared to July 2013, with an increase of 7.3 % in the Average Daily Rate (ADR) for the month. On average, the occupancy rates for all Colorado mountain resort destinations increased by 3.4 % for the month. (Source: DestiMetrics)



6 Month Projected YTD Occupancy (August 2014-January 2015)

Future bookings for the upcoming August-January period show an increase of 12.8 % in projected occupancy rate over the corresponding period last year. The Average Daily Rate for the same time period is up 6.4 %. (Source: DestiMetrics)



Traffic Count at Eisenhower Tunnel (July 2014)

During the month of July, the traffic count at the Eisenhower tunnel (westbound) totaled 593,897 vehicles compared to July 2013 traffic counts (573,761 vehicles), representing a 4 % increase. Traffic counts in town on Highway 9 at Tiger Road are temporarily unavailable due to disruptions related to the highway construction project. (Source: CDOT)



Consumer Confidence Index-CCI (July 2014)

The Consumer Confidence Index (CCI) increased in July to 90.9, an increase of 4.5 percentage points from June. The CCI has maintained a generally positive upward trend since spring of 2013. (Source: CCB)



Mountain Communities Sales Tax Comparisons (May 2014)

The amount of taxable sales in Town for June 2014 was up 11.3% from June 2013 levels. All mountain towns monitored experienced an increase in sales as compared to June 2013. The average sales change in mountain towns was an increase of 11.5 %. (Source: Steamboat Springs Finance Dept.)



Standard & Poor's 500 Index (July 2014)

The S&P 500 average monthly adjusted closing price reached 1930 in July, down 30 points from a record high in June (1960). Overall, there has been an upward trend in the index that started over three years ago. (Source: S&P 500 and Town Finance)



Town of Breckenridge RETT Collection (July 2014)

July 2014 RETT collection (\$409,671) was 9.7 % higher than July 2013 (\$373,510) collections and above July 2012 collections (\$252,104). Year to date RETT collections through July (\$2,383,133) are 2.3 % higher than 2013 collections for the same time period and higher than 2012 collections (\$1,453,232). (Source: Town Finance)



Real Estate Sales for Summit County/Breckenridge (June 2014)

June Summit County real estate sales increased by one percent in \$ volume and six percent in the number of transactions compared to June 2013. Of that, Breckenridge took in 32% of the \$ volume and 31% of the transactions countywide for the month. (Source: Land Title)



Foreclosure Stressed Properties (June 2014)

Ten properties in Breckenridge (excluding timeshares) were in the foreclosure process in June, which accounts for 24% of the total foreclosures in the County. (47 timeshare units were in the foreclosure process as of June.) (Source: Land Title)

