



**Town Board Agenda  
Special Meeting  
April 27, 2021  
5:00 P.M.**

**MISSION STATEMENT**

*"The Town of Center, Colorado shall provide strong leadership, inspire community pride, maintain fiscal accountability and through its employees offer a high level of service to the residents, businesses, and visitors of the community."*

***THIS AGENDA MAY BE AMENDED***

WORKSHOP – Financials- 5:00 p.m.

1. MEETING CALLED TO ORDER, ROLL CALL
3. A MOTION TO APPROVE THE AGENDA
4. A MOTION TO APPROVE THE PAYABLES
5. APPROVAL OF MARCH FINANCIALS
6. NEW BUSINESS
  - A. Lenora Almieda – Ordinance Violation
  - B. Summer Entertainment
  - C. Jonathon Torrez – Zoning and Water Meters
  - D. Anna Martinez – Noise Ordinance
7. OLD BUSINESS
  - A. Planning Committee
  - B. Resolution - Alley
  - C. Award Bid – Meraz Property
7. CALENDAR ITEMS
  - A. April 30<sup>th</sup>
  - B. June 18<sup>th</sup> and 19<sup>th</sup> Solstice in Center – Makers Fair
7. ADJOURNMENT

Posted on  
April 23, 2021

Center Town Hall and Center Post office  
This agenda may be amended

Report Criteria:  
Report type: GL detail  
Check.Type = {<->} "Adjustment"

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Invoice Amount	Check Amount
<b>13873</b>										
04/21	04/23/2021	13873	2875	RAY ALLEN MANUFACTURING	RO047561	1	01-557-587-50	.00	176.98-	176.98- V
04/21	04/23/2021	13873	2875	RAY ALLEN MANUFACTURING	RSHP21294	1	01-557-587-50	.00	399.99-	399.99- V
Total 13873:								.00		576.97-
<b>13894</b>										
04/21	04/14/2021	13894	1998	AARON FRESQUEZ	042021	1	01-557-535-30	.00	101.33	101.33
Total 13894:								.00		101.33
<b>13895</b>										
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	1	01-557-596-50	.00	88.00	88.00
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	2	01-557-535-10	.00	500.00	500.00
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	3	01-557-535-30	.00	500.00	500.00
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	4	01-557-596-50	.00	30.00	30.00
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	5	01-557-596-40	.00	9.64	9.64
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	6	01-557-587-40	.00	104.48	104.48
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	7	01-557-535-30	.00	9.30	9.30
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	8	01-557-535-30	.00	35.51	35.51
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	9	01-557-535-30	.00	401.60	401.60
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	10	01-557-535-30	.00	401.60	401.60
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	11	01-557-535-30	.00	29.68	29.68
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	12	01-557-535-30	.00	21.26	21.26
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	13	01-557-596-00	.00	80.00	80.00
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	14	01-557-596-50	.00	24.95	24.95
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	15	01-557-594-03	.00	4.00	4.00
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	16	01-557-588-30	.00	290.84	290.84
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	17	01-557-535-10	.00	149.00	149.00
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	18	01-557-596-50	.00	187.50	187.50
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	19	01-557-596-50	.00	75.00	75.00
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	20	01-557-535-30	.00	17.32	17.32
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	21	01-557-587-50	.00	196.96	196.96
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	22	01-557-594-10	.00	65.40	65.40
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	23	01-557-587-40	.00	16.00	16.00

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Invoice Amount	Check Amount
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	24	01-557-587-50	.00	301.11	301.11
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	25	01-557-595-00	.00	146.47	146.47
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	26	01-557-579-20	.00	33.91	33.91
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	27	01-557-596-40	.00	24.32	24.32
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	28	01-557-579-10	.00	25.11	25.11
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	29	01-557-595-00	.00	118.04	118.04
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	30	01-557-595-00	.00	22.34	22.34
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	31	01-557-587-50	.00	176.98	176.98
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	32	01-557-594-03	.00	7.65	7.65
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	33	01-557-596-50	.00	24.95	24.95
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	34	01-557-587-50	.00	253.60	253.60
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	35	01-557-535-30	.00	65.00	65.00
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	36	10-552-535-20	.00	62.48	62.48
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	37	10-552-535-20	.00	46.00	46.00
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	38	01-552-526-30	.00	111.30	111.30
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	39	01-552-555-00	.00	20.63	20.63
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	40	01-552-555-00	.00	44.00	44.00
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	41	06-552-772-00	.00	1,000.00	1,000.00
04/21	04/14/2021	13895	1933	CARD SERVICES	040121	42	01-552-555-00	.00	20.63	20.63
Total 13895:								.00		5,742.56
<b>13896</b>										
04/21	04/14/2021	13896	2811	JOSEPH RUYBAL	042021	1	01-557-535-30	.00	101.33	101.33
Total 13896:								.00		101.33
<b>13897</b>										
04/21	04/14/2021	13897	2955	MONTE VISTA GOLF CLUB	041321	1	01-552-537-20	.00	150.00	150.00
Total 13897:								.00		150.00
<b>13898</b>										
04/21	04/23/2021	13898	1959	ALPINE VETERINARY HOSPITA	040121	1	01-557-587-50	.00	44.86	44.86
Total 13898:								.00		44.86
<b>13899</b>										
04/21	04/23/2021	13899	1259	AMERICAN ELECTRIC COMPAN	0116-100469	1	10-552-675-00	.00	20.48	20.48

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Invoice Amount	Check Amount
04/21	04/23/2021	13899	1259	AMERICAN ELECTRIC COMPAN	0116-100534	1	10-552-675-00	.00	109.30	109.30
04/21	04/23/2021	13899	1259	AMERICAN ELECTRIC COMPAN	0116-100557	1	10-552-676-00	.00	779.41	779.41
04/21	04/23/2021	13899	1259	AMERICAN ELECTRIC COMPAN	0116-100559	1	10-552-772-50	.00	18.97	18.97
04/21	04/23/2021	13899	1259	AMERICAN ELECTRIC COMPAN	0116-100661	1	01-552-543-00	.00	16.76	16.76
04/21	04/23/2021	13899	1259	AMERICAN ELECTRIC COMPAN	0116-100875	1	10-552-557-00	.00	394.75	394.75
04/21	04/23/2021	13899	1259	AMERICAN ELECTRIC COMPAN	0116-101038	1	10-552-772-50	.00	492.00	492.00
Total 13899:								.00		1,831.67
<b>13900</b>										
04/21	04/23/2021	13900	2078	BERG, HILL, GREENLEAF, RUS	033121	1	12-552-538-00	.00	740.00	740.00
Total 13900:								.00		740.00
<b>13901</b>										
04/21	04/23/2021	13901	1047	CENTURYLINK	040821	1	12-552-537-01	.00	54.36	54.36
04/21	04/23/2021	13901	1047	CENTURYLINK	040821	2	10-552-537-10	.00	51.00	51.00
04/21	04/23/2021	13901	1047	CENTURYLINK	040821	3	11-552-537-01	.00	51.00	51.00
04/21	04/23/2021	13901	1047	CENTURYLINK	040821	4	01-552-537-00	.00	51.00	51.00
Total 13901:								.00		207.36
<b>13902</b>										
04/21	04/23/2021	13902	2664	CIELLO	041021	1	01-552-537-00	.00	237.48	237.48
04/21	04/23/2021	13902	2664	CIELLO	041021	2	10-552-537-10	.00	237.48	237.48
04/21	04/23/2021	13902	2664	CIELLO	041021	3	11-552-537-01	.00	237.48	237.48
04/21	04/23/2021	13902	2664	CIELLO	041021	4	12-552-537-01	.00	237.49	237.49
Total 13902:								.00		949.93
<b>13903</b>										
04/21	04/23/2021	13903	1887	CIRSA	210851	1	01-552-545-10	.00	322.58	322.58
Total 13903:								.00		322.58
<b>13904</b>										
04/21	04/23/2021	13904	1065	COLORADO RURAL WATER AS	18147	1	12-552-548-10	.00	275.00	275.00

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Invoice Amount	Check Amount
Total 13904:								.00		275.00
<b>13905</b>										
04/21	04/23/2021	13905	1327	COLORADO STATE TREASURE	0121		1 01-552-526-20	.00	878.91	878.91
Total 13905:								.00		878.91
<b>13906</b>										
04/21	04/23/2021	13906	2887	CURTIS BLUE LINE	421457		1 01-557-595-00	.00	138.00	138.00
04/21	04/23/2021	13906	2887	CURTIS BLUE LINE	462429		1 01-557-595-00	.00	44.80	44.80
04/21	04/23/2021	13906	2887	CURTIS BLUE LINE	473345		1 01-557-595-00	.00	82.08	82.08
04/21	04/23/2021	13906	2887	CURTIS BLUE LINE	478289		1 01-557-595-00	.00	118.02	118.02
04/21	04/23/2021	13906	2887	CURTIS BLUE LINE	478396		1 01-557-595-00	.00	44.80	44.80
04/21	04/23/2021	13906	2887	CURTIS BLUE LINE	478634		1 01-557-595-00	.00	111.47	111.47
04/21	04/23/2021	13906	2887	CURTIS BLUE LINE	478896		1 01-557-595-00	.00	80.36	80.36
04/21	04/23/2021	13906	2887	CURTIS BLUE LINE	481829		1 01-557-595-00	.00	92.81	92.81
Total 13906:								.00		712.34
<b>13907</b>										
04/21	04/23/2021	13907	1077	DASH MEDICAL GLOVES	1232479		1 01-557-579-20	.00	275.90	275.90
Total 13907:								.00		275.90
<b>13908</b>										
04/21	04/23/2021	13908	1081	DISH NETWORK	042601		1 12-565-526-05	.00	20.32	20.32
04/21	04/23/2021	13908	1081	DISH NETWORK	042601		2 01-552-526-05	.00	20.32	20.32
04/21	04/23/2021	13908	1081	DISH NETWORK	042601		3 01-557-526-05	.00	20.32	20.32
04/21	04/23/2021	13908	1081	DISH NETWORK	042601		4 12-552-526-05	.00	20.32	20.32
04/21	04/23/2021	13908	1081	DISH NETWORK	042601		5 11-552-526-05	.00	20.32	20.32
04/21	04/23/2021	13908	1081	DISH NETWORK	042601		6 10-552-526-05	.00	20.30	20.30
Total 13908:								.00		121.90
<b>13909</b>										
04/21	04/23/2021	13909	1099	GALLS	018165123		1 01-557-595-00	.00	14.54	14.54

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Invoice Amount	Check Amount
Total 13909:								.00		14.54
<b>13910</b>										
04/21	04/23/2021	13910	1104	GOBINS INC	358870	1	12-552-542-30	.00	25.23	25.23
04/21	04/23/2021	13910	1104	GOBINS INC	358870	2	11-552-542-30	.00	25.23	25.23
04/21	04/23/2021	13910	1104	GOBINS INC	358870	3	10-552-542-30	.00	25.23	25.23
04/21	04/23/2021	13910	1104	GOBINS INC	358870	4	01-552-542-30	.00	25.23	25.23
Total 13910:								.00		100.92
<b>13911</b>										
04/21	04/23/2021	13911	1599	GRAND JUNCTION PIPE & SUP	1198487-1	1	12-552-731-30	.00	5,194.68	5,194.68
Total 13911:								.00		5,194.68
<b>13912</b>										
04/21	04/23/2021	13912	2377	GREATAMERICA FINANCIAL SE	29154893	1	12-552-542-30	.00	55.39	55.39
04/21	04/23/2021	13912	2377	GREATAMERICA FINANCIAL SE	29154893	2	11-552-542-30	.00	55.39	55.39
04/21	04/23/2021	13912	2377	GREATAMERICA FINANCIAL SE	29154893	3	10-552-542-30	.00	55.39	55.39
04/21	04/23/2021	13912	2377	GREATAMERICA FINANCIAL SE	29154893	4	01-552-542-30	.00	55.39	55.39
Total 13912:								.00		221.56
<b>13913</b>										
04/21	04/23/2021	13913	2531	J&D ULTIMATE EMBROIDERING	1122	1	01-557-595-00	.00	164.40	164.40
Total 13913:								.00		164.40
<b>13914</b>										
04/21	04/23/2021	13914	2956	LAWRENCE PINO	10089009	1	10-220-000-00	.00	24.82	24.82
04/21	04/23/2021	13914	2956	LAWRENCE PINO	10089009	2	12-220-000-00	.00	.01	.01
Total 13914:								.00		24.83
<b>13915</b>										
04/21	04/23/2021	13915	1145	MICHAEL H TRUJILLO - PC	041321	1	12-552-538-00	.00	634.38	634.38
04/21	04/23/2021	13915	1145	MICHAEL H TRUJILLO - PC	041321	2	11-552-538-00	.00	634.38	634.38
04/21	04/23/2021	13915	1145	MICHAEL H TRUJILLO - PC	041321	3	10-552-538-10	.00	634.38	634.38

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Invoice Amount	Check Amount
04/21	04/23/2021	13915	1145	MICHAEL H TRUJILLO - PC	041321	4	01-552-538-10	.00	634.36	634.36
Total 13915:								.00		2,537.50
<b>13916</b>										
04/21	04/23/2021	13916	2824	MONTE VISTA ATHLETIC CLUB	042021	1	01-208-000-65	.00	120.00	120.00
Total 13916:								.00		120.00
<b>13917</b>										
04/21	04/23/2021	13917	2866	MUNICIPAL ENERGY AGENECY	301825	1	10-550-300-01	.00	86,964.83	86,964.83
Total 13917:								.00		86,964.83
<b>13918</b>										
04/21	04/23/2021	13918	1191	RMS UTILITIES, INC	44878	1	01-561-779-00	.00	24,657.00	24,657.00
Total 13918:								.00		24,657.00
<b>13919</b>										
04/21	04/23/2021	13919	2229	RUBIN BROWN	858009	1	01-552-538-00	.00	1,490.50	1,490.50
04/21	04/23/2021	13919	2229	RUBIN BROWN	858009	2	10-552-538-00	.00	1,490.50	1,490.50
04/21	04/23/2021	13919	2229	RUBIN BROWN	858009	3	11-552-538-00	.00	1,490.50	1,490.50
04/21	04/23/2021	13919	2229	RUBIN BROWN	858009	4	12-552-538-11	.00	1,490.50	1,490.50
Total 13919:								.00		5,962.00
<b>13920</b>										
04/21	04/23/2021	13920	1205	SAN LUIS VALLEY R.E.C.	041521	1	01-561-544-00	.00	180.00	180.00
Total 13920:								.00		180.00
<b>13921</b>										
04/21	04/23/2021	13921	1208	SANGRE DE CRISTO LABORAT	22923	1	12-552-772-10	.00	120.00	120.00
Total 13921:								.00		120.00
<b>13922</b>										
04/21	04/23/2021	13922	2124	SOLOMON CORPORATION	346595	1	10-552-772-50	.00	680.00	680.00

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Invoice Amount	Check Amount
Total 13922:								.00		680.00
<b>13923</b>										
04/21	04/23/2021	13923	1218	STUART C IRBY, CO	012102908.0	1	10-552-772-50	.00	3,912.36	3,912.36
Total 13923:								.00		3,912.36
<b>13924</b>										
04/21	04/23/2021	13924	1298	THE SIGN MAN	14827	1	07-561-624-30	.00	70.14	70.14
Total 13924:								.00		70.14
<b>13925</b>										
04/21	04/23/2021	13925	1251	VERIZON	9877396338	1	12-552-537-01	.00	224.69	224.69
04/21	04/23/2021	13925	1251	VERIZON	9877396338	2	11-552-537-01	.00	224.69	224.69
04/21	04/23/2021	13925	1251	VERIZON	9877396338	3	10-552-537-10	.00	224.69	224.69
04/21	04/23/2021	13925	1251	VERIZON	9877396338	4	01-552-537-00	.00	224.68	224.68
Total 13925:								.00		898.75
<b>13926</b>										
04/21	04/23/2021	13926	1253	WESTERN AREA POWER ADMI	042121	1	10-550-300-01	.00	20,739.77	20,739.77
Total 13926:								.00		20,739.77
<b>13927</b>										
04/21	04/23/2021	13927	1256	WSB COMPUTER CONSULTING	79088	1	01-552-534-50	.00	266.00	266.00
04/21	04/23/2021	13927	1256	WSB COMPUTER CONSULTING	79200	1	01-552-543-00	.00	643.92	643.92
Total 13927:								.00		909.92
Grand Totals:								.00		165,351.90

Summary by General Ledger Account Number



GL Account	Debit	Credit	Proof
01-201-000-00	576.97	36,043.23-	35,466.26-
01-208-000-65	120.00	.00	120.00
01-552-526-05	20.32	.00	20.32
01-552-526-20	878.91	.00	878.91
01-552-526-30	111.30	.00	111.30
01-552-534-50	266.00	.00	266.00
01-552-537-00	513.16	.00	513.16
01-552-537-20	150.00	.00	150.00
01-552-538-00	1,490.50	.00	1,490.50
01-552-538-10	634.36	.00	634.36
01-552-542-30	80.62	.00	80.62
01-552-543-00	660.68	.00	660.68
01-552-545-10	322.58	.00	322.58
01-552-555-00	85.26	.00	85.26
01-557-526-05	20.32	.00	20.32
01-557-535-10	649.00	.00	649.00
01-557-535-30	1,683.93	.00	1,683.93
01-557-579-10	25.11	.00	25.11
01-557-579-20	309.81	.00	309.81
01-557-587-40	120.48	.00	120.48
01-557-587-50	973.51	576.97-	396.54
01-557-588-30	290.84	.00	290.84
01-557-594-03	11.65	.00	11.65
01-557-594-10	65.40	.00	65.40
01-557-595-00	1,178.13	.00	1,178.13
01-557-596-00	80.00	.00	80.00
01-557-596-40	33.96	.00	33.96
01-557-596-50	430.40	.00	430.40
01-581-544-00	180.00	.00	180.00
01-581-779-00	24,657.00	.00	24,657.00
06-201-000-00	.00	1,000.00-	1,000.00-
06-552-772-00	1,000.00	.00	1,000.00
07-201-000-00	.00	70.14-	70.14-
07-581-824-30	70.14	.00	70.14
10-201-000-00	.00	116,984.14-	116,984.14-
10-220-000-00	24.82	.00	24.82
10-550-300-01	107,704.60	.00	107,704.60
10-552-526-05	20.30	.00	20.30
10-552-535-20	108.48	.00	108.48
10-552-537-10	513.17	.00	513.17

GL Account	Debit	Credit	Proof
10-552-538-00	1,490.50	.00	1,490.50
10-552-538-10	634.38	.00	634.38
10-552-542-30	80.62	.00	80.62
10-552-557-00	394.75	.00	394.75
10-552-675-00	129.78	.00	129.78
10-552-676-00	779.41	.00	779.41
10-552-772-50	5,103.33	.00	5,103.33
11-201-000-00	.00	2,738.99-	2,738.99-
11-552-526-05	20.32	.00	20.32
11-552-537-01	513.17	.00	513.17
11-552-538-00	2,124.88	.00	2,124.88
11-552-542-30	80.62	.00	80.62
12-201-000-00	.00	9,092.37-	9,092.37-
12-220-000-00	.01	.00	.01
12-552-526-05	20.32	.00	20.32
12-552-537-01	516.54	.00	516.54
12-552-538-00	1,374.38	.00	1,374.38
12-552-538-11	1,490.50	.00	1,490.50
12-552-542-30	80.62	.00	80.62
12-552-548-10	275.00	.00	275.00
12-552-731-30	5,194.68	.00	5,194.68
12-552-772-10	120.00	.00	120.00
12-565-526-05	20.32	.00	20.32
<b>Grand Totals:</b>	<b>166,505.84</b>	<b>166,505.84-</b>	<b>.00</b>

Dated: \_\_\_\_\_

Mayor: \_\_\_\_\_

City Council: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

City Recorder: \_\_\_\_\_

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Report Criteria:

Report type: GL detail

Check.Type = {<-} "Adjustment"

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# Town Of Center

P.O. Box 400 • 294 South Worth • Center, CO 81125 • 719-754-3497(Phone) • 719-754-3379(Fax)

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04/07/2021

RE: Property Violations

Jesus and Lenora Almeida,

It has been brought to the Towns attention that you have continued to add one violation after another of the Building Codes and Ordinances of the Town of Center as well as County and State statues.

These violations consist of:

1. Parking a RV in the Towns Right of Way for more than 5 days.
2. Parking an unlicensed grey Ford pickup in the right of way.
3. Parking an unlicensed wrecked white car in the right of way.
4. Parking an unlicensed white S-10 pickup in the right of way.
5. Parking an unlicensed wrecked maroon Expedition in the right of way
6. A portion of the fence on 5<sup>th</sup> St. that exceeds the height limit of 4' on a paved street
7. Unauthorized conversion of a carport, into a garage, into an apartment. You originally asked the board for a carport.
8. Unauthorized enclosing of the shelter for your RV.
9. Unauthorized enclosing of the wood shed.
10. Unauthorized infringement on the setback to the alley
11. Violating the Town's Zoning Ordinance

If there is someone living in the RV Shelter or the so called wood shed, I would suggest that cease immediately. That is a health code violation and the Health Department will be notified.

If somebody has tapped into a water line or sewer line without the Towns knowledge it becomes a theft of a utility and tampering with a utility and is filed with the County's District Court.

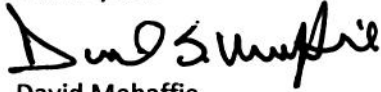
If there has been electrical upgrades and extensions and plumbing done without the proper permits with the state, those inspectors will issue their fines.

You have 14 days from the time you receive this letter to correct all violations satisfactorily to all building codes, fire codes, ordinances, health codes and anything to do with the Town's utility department

Right now, you have a total possible fine in excess of \$3,300.00 per day, if each violation is not corrected.

I have enclosed copies of the ordinances for your review and if you have any questions, feel free to call or stop by the office.

Thank-you...

A handwritten signature in black ink, appearing to read "David Mehaffie". The signature is fluid and cursive, with the first name "David" being the most prominent part.

David Mehaffie  
Building Inspector/Code Enforcement Officer  
Public Works Director  
(719)754-3497  
[david@centerco.gov](mailto:david@centerco.gov)









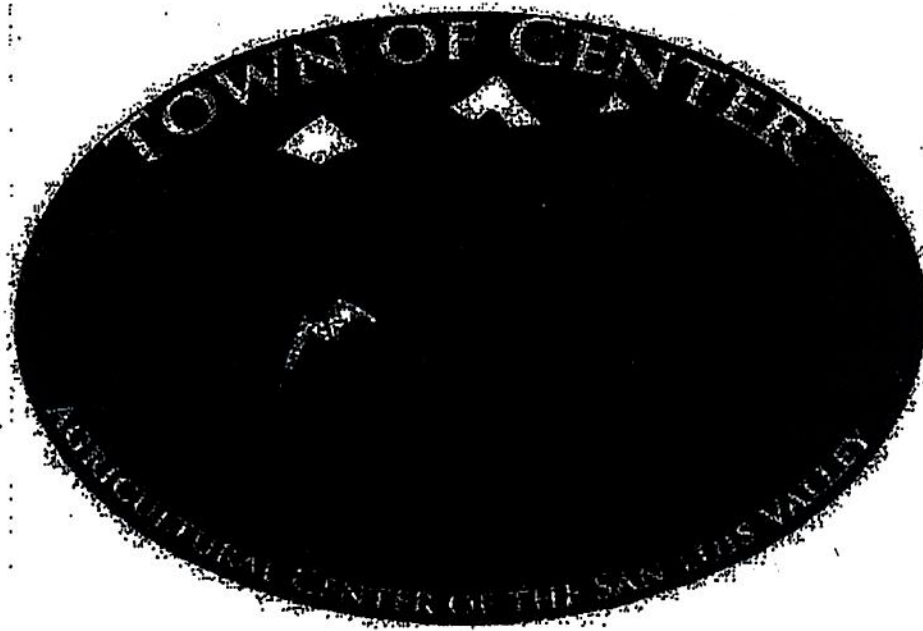






**Ordinance 412**

**Nuisance and Dangerous Building Code**



## NUISANCE AND DANGEROUS BUILDING CODE

### SECTION I - NUISANCES

#### A. Definition

For the purpose of this section, the term "public nuisance" shall mean a substance, act, occupation, condition or use of property, which is of such nature and has continued for such length of time as to:

- 1) Substantially annoy, injure or endanger the comfort, health, repose or safety of the public.
- 2) In any way render the public insecure in life or in the use of property.
- 3) Unlawfully and substantially interfere with, obstruct or tend to obstruct or render dangerous for passage any street, alley, highway or other public way.
- 4) Offend the public decency.
- 5) In addition to the general categories above enumerated, the following are hereby specifically declared to be Public Nuisances:

a) Open wells, excavations, stagnant water, sloughs, contaminated or impure well or cistern.

- i. It is declared that excavations exceeding five (5) feet in depth, cisterns, and wells, or an excavation used for storage of water are public nuisances unless the same are adequately covered with a locked lid or other covering weighing at least sixty (60) pounds or are securely fenced with a solid fence to a height of at least five (5) feet, and it shall be unlawful for any person to permit such nuisance to remain on premises within the limits of the Town of Center. Whenever a chemical analysis or other proper test or the location of the same shows that the water of the said well or cistern is probably contaminated, impure or unwholesome, it shall be deemed a nuisance. Any abandoned or unused well or cistern shall be filled with dirt and covered.
- ii. Any cellar, vault, drain, sewer, pond of water or other place in the Town that shall be noxious or offensive to others, or injurious to public health, through an accumulation or deposit of noxious, offensive or foul water or other substance shall be deemed a nuisance. This applies in all cases for which no other specific provisions are made in this Ordinance or any other Ordinance of the Town.
- iii. Every owner, tenant, occupant, lessee or other person in possession of any premises, or any part thereof, upon which there is located a well containing contaminated, impure or unwholesome water must abandon the use of the same, and cause the same to be filled with earth or such other material as may be designated by the Town Manager, Police Chief, or Mayor.
- iv. The creation or maintenance of any drainage system, canal, ditch, conduit or other water course of any kind or nature, natural or artificial, in a manner to become obstructed so as to cause the water to back up and/or overflow therefore or to become unsanitary or the maintenance or creation of any such water course or pond so as to encourage or permit any fly or mosquito - producing conditions shall be deemed a nuisance.

- b) Scattering debris and accumulation of rubbish, trash, weeds or garbage and burning trash or refuse.
- i. Dumping, throwing or placing any rubbish, cans, boxes, debris, grass clippings or other waste materials on any public place in the Town is a nuisance and is prohibited.
  - ii. It is unlawful and constitutes a nuisance for any person to pile, store, or allow the accumulation of any rubbish, trash, garbage, weeds, manure or animal feces on any lot or real estate within the Town in such quantities which could harbor and conceal harmful vermin, rodents or insects, or which is unsafe, annoying, unhealthy or unsightly to persons or public.
  - iii. It is unlawful and constitutes a nuisance for any person to create smoke or odors from the burning of trash, leaves, weeds, refuse or other materials, which creates an annoyance to others.
  - iv. Transporting of garbage, manure, swill or offal upon any street in this Town in a vehicle, which is not fitted with a substantially tight, enclosed box thereon, allowing no portion of such filth to be scattered or thrown into such street, is hereby declared a nuisance.
- c) Offensive Business. It shall be unlawful for any person to allow or suffer upon his premises or to conduct upon any premises or property within the Town or within one (1) mile beyond the outer limits of the Town, any business or establishment, which substantially endangers the health, safety and wellbeing or substantially degrades the quality of life of town inhabitants. Such offensive business is hereby declared a nuisance.
- d) Junk. For the purpose of this article, the word "junk" shall mean any old, used or secondhand materials of any kind, including, without limitations, cloth, rags, clothing, furniture, refrigerators or freezers, used motor vehicles, or the parts thereof or therefrom; machines, apparatuses and contrivances, and parts thereof, which are no longer in use; any used building material, boards, or other lumber; cement blocks, discarded buildings and structures and portions thereof, bricks or brickbats, or other second hand building material; or any discarded machinery, tractors, trucks or automobiles, rail cars or parts thereof or railroad equipment; or any other article or thing commonly classified as junk.
- i. Nuisance declared. The keeping, storage or collection of junk within the Town in violation of this Section is a nuisance, is detrimental to the health, safety, convenience and general welfare of the citizens thereof, and is a violation of this Section.
  - ii. The keeping, storage or collection of junk shall not be deemed a nuisance when and if the same is kept, stored or collected in completely enclosed buildings. This section shall not apply to any properly zoned premises where a licensed motor vehicle dealer or a farm implement dealer conducts his business.
- e) Junkyards and dumping grounds. All places used or maintained as junkyards or dumping grounds or for the wrecking or disassembling of automobiles, trucks, tractors or machinery of any kind or for the storing or leaving of worn out, wrecked or abandoned automobiles, trucks, tractors, trailers, rail cars, rail engines or portions thereof not being used in interstate commerce, boats and house trailers, appliances or machinery or equipment used by contractors or builders or by other persons, which places essentially interfere with the comfortable enjoyment of life or

property by others, or are unsightly, are hereby declared to be a nuisance.

- f) **Storage and Parking of Commercial Vehicles, Railcars, Camping Units, etc.** Commercial vehicles, railcars and rail engines not being used in interstate commerce, camping units, manufactured homes, recreational equipment, boats, buses, trailers and other similar units shall not be parked or stored, on any public right-of-way in any zoned district of the Town.
- g) **Discharge of noxious or hazardous liquids.** The discharge out of or from any house or place of foul or noxious liquid or substance of any kind whatsoever into or upon any adjacent ground or lot or into any street, alley, or public place in the Town is hereby declared a nuisance. The discharge of any inflammable or hazardous liquid or substance into any lot residence, building or other property in the Town is hereby declared a nuisance.
- h) **Stale matter.** The accumulation of any stale, putrid or stinking fat or grease or other noxious matter is hereby declared a nuisance.
- i) **Sewer inlet.** Any article or material accumulated in any sewer, sewer inlet or privy vault that shall have a sewer connection, which cause or might cause such sewer, sewer inlet or privy vault to become noxious or offensive to others or injurious to public health, are hereby declared to be a nuisance.
- j) **Dead animals; removal.** The body of any animal which has died and which is indisposed of after twelve (12) hours after death is hereby declared to be a nuisance.
- k) **Vehicles: Loud and obnoxious noises.**
  - i. The operation of a speaker device or vehicle audio system in, upon, or from any vehicle, upon any street, alley or sidewalk of the Town or from any Residence, business or other property which has the effect of an unreasonable and offensive annoyance, is hereby declared a public nuisance.
  - ii. The use of Engine (Jake) Brakes or any other similarly designated auxiliary engine braking system upon cars, trucks and other motor vehicles, unnecessary to the safe operation of said vehicles within the Town, is hereby prohibited and is deemed a nuisance.
- l) **Handbills, posters and placards.** Any handbill, poster, placard or painted or printed matter which shall be stuck, posted or pasted upon any public or private house, store or other building or upon any fence, power pole, telephone pole or other structure without the permission of the owner, agent, or occupant of the house shall be deemed a nuisance. For signage advertising yard sales, the same shall be removed within 24 hours of the closing of the event.
- m) **Unused appliances.** Any unused refrigerator, washer, dryer, freezer, hot water heater, oven, range, furnace or other appliance within any accessible yard or lot or carport or residential garage within the limits of the Town of Center without the door of the same being removed is hereby declared a nuisance.
- n) **Vacant buildings.** It is declared a nuisance for the owner of any vacant building to fail to replace any broken window or fail to secure any other means of entry into such building within seventy-two (72) hours after notice is given by the Town.

o) Removal of inoperable or abandoned vehicle.

- i. An inoperable vehicle is defined as any vehicle where the engine, wheels, tires or other parts have been removed or on which the engine, wheels, tires, or other parts have been altered, damaged or is otherwise in such a mechanical condition that the vehicle is incapable of being started or driven under its own power. A vehicle that is not registered or does not display a current, valid license plate and validating sticker or temporary license tag shall be deemed an inoperable vehicle. An inoperable vehicle shall also include any parts of a vehicle located separately from a vehicle. A vehicle shall also be deemed inoperable when it has one or more flat tires, one or more missing or broken windshields or windows to the extent that visibility is limited so as to make driving such vehicle unsafe, or is missing major exterior body parts such as doors, hood or trunk lids, side or fender body panels.

Any inoperable vehicle parked on or adjacent to any property within the Town of Center, which is outside the confines of a building or not screened, and /or tarped from sight for a period of at least three (3) consecutive days, is declared a nuisance.

- ii. "Abandoned vehicle" is defined to be any vehicle, the owner of which cannot readily be found, is left unattended upon any part of a public right of way in excess of seventy two (72) hours, or any vehicle left unattended on private property for a period of seventy two (72) hours or longer without the consent of the owner or lessee of such property of the owner's or lessee's legally authorized agent.
- iii. Any inoperable abandoned or junked vehicle parked or adjacent to any lot or piece of ground in the Town of Center, outside the confines of a building or not screened from sight and not removed from the Town within twenty (20) days after the expiration of its registration, as determined by examining the license plate on the exterior of the vehicle, is a nuisance, and it is unlawful for any owner or occupant of real property within the limits of the Town to permit such vehicles to so remain. The Police Chief shall have the duty to remove any such vehicles from the public ways within the times specified in paragraph ii and to dispose of the same as directed by the Town Manager.

- p) Flammable and hazardous liquids and substances. The above ground storage of gasoline, propane and hazardous or inflammable liquids and substances in any amount not approved by the Colorado Department of Health or in violation of any law, rule or regulation of the State of Colorado is hereby deemed a nuisance. No such substance shall be stored in vehicles parked in the same location within the Town for more than 72 hours.
- q) Barking, yelping, howling or mewling by dogs or cats. Any dog, cat, or other animal, which, by loud or frequent or habitual barking, yelping, howling or mewling, causes a serious annoyance to the neighborhood, neighboring property, or to persons passing to and from upon the streets or sidewalks is hereby declared a nuisance.
- r) Exposure or conveyance of any prejudicial to health. It is unlawful and constitutes a nuisance for any person to expose, convey or place or cause to be exposed, conveyed or places in any street or public place any substance, animal or thing to the prejudice of the public health.
- s) Snow removal required. It is the duty of the owner, tenant or occupant of any lot, block or parcels of land, or any part thereof, situated within the Town to clean the snow off the sidewalks abutting thereon within 24 hours after the fall of the snow. Such removed snow



shall not be shoveled, plowed, sprayed, or dumped onto a street, alley or public right of way. Whoever owns, rents or occupies any such premises and fails or neglects to clean the snow off the sidewalks is guilty of a violation of this section and such failure or neglect constitutes a public nuisance.

- t) Violations of building code and municipal zoning ordinance. It is unlawful and constitutes a public nuisance for any person to maintain any property or building or any other structure in the Town in a condition that is in violation of the building code or the zoning ordinance of the Town.
- u) The creation, development or maintenance of any business or attraction within the Town which does not provide for property parking of vehicles, as provided by the Land Use Code or which creates hazards and congestion to vehicular and/or pedestrian travel upon or across the public streets and highways is hereby declared a nuisance.

#### **B. Responsibility**

Where a nuisance exists upon private property and is the outgrowth of the usual, natural or necessary use of the property, the owner thereof or his agents are declared responsible; but where any nuisance arises from the unusual use to which such property may be put, or from any business conducted thereon, the occupant shall also be deemed responsible. Any person who by themselves or through an agent causes, creates the same, or allows the same to be created shall be deemed responsible. Any person, agent or entity creating, maintaining or allowing a nuisance to exist shall be deemed to have violated the provisions of this code.

In the event the Town must abate a nuisance, no provision of this section should be construed to relieve any property owner from any of the provisions contained in this Section.

#### **C. Complaints**

Complaints of nuisances may be made to the Town Clerk, Police Chief, Police Officer, Building Inspector or any other Town official. Whenever possible, any complaint shall state the nature of the nuisance; the location, including street address; the name of the owner, agent or occupant of the building or lot, if known; and the name and address of the complainants. Written complaints may be required before action is taken by the Town and will require the information detailed above.

#### **D. General Abatement Procedures**

- a) Right of Entry.
  - i. Whenever necessary to conduct an inspection or enforce any of the provisions of this article, or whenever, the Town Clerk, Building Inspector, Police Chief or a Police Officer of the Town has reasonable cause to believe that there exists in any building, or upon any premises, any condition which constitutes a nuisance under this article, the Town Manager, Building Inspector, Police Chief, or Police Officer may enter the building or premises at all reasonable times to inspect the same or to perform any duty imposed on any of them; provided that if the building or premises is occupied, the person shall first present proper credentials and demand entry. If the building or premises is unoccupied, he shall first make a reasonable effort to locate the owner and/or occupant or other person

having charge control of the building or premises, and upon locating the owner, occupant or other person, shall present proper credentials and demand entry.

- ii. If entry is refused; or if the owner and/or occupant cannot be located after a reasonable effort, the person demanding entry shall leave at the building or premises 24-Hour written notice of intention to inspect. The notice given to the owner and/or occupant or left on the premises, as designated in this section, shall state that the property owner has the right to refuse entry and that, in the event entry is refused, inspection may be made only upon issuance of a search warrant.
- iii. After the expiration of the 24-Hour period designated in this section from the giving or leaving of the notice, the Town Clerk, Police Chief, Police Officer, Building Inspector, or any of them, may appear before a judge, or such other court as may have jurisdiction and, upon showing of probable cause, obtain a search warrant entitling him to enter the building or upon the premises. Upon presentation of the search warrant and proper credentials, or possession of same (in the case of an unoccupied building or premises), the person may enter into the building or upon the premises using such reasonable force as may be necessary to gain entry therein.
- iv. For the purpose of this section, a determination of "probable cause" will be based upon reasonableness, and if a valid public interest justifies the intrusion contemplated, then there is probable cause to issue a search warrant.
- v. The person applying for the warrant shall be required to demonstrate specific knowledge of the condition of the particular structure or premises at issue in order to obtain a search warrant.
- vi. It is unlawful and is a violation of this Chapter for any owner and/or occupant of the building or premises to resist reasonable force used by the Town Manager, Police Chief, Police Officer, or Building Inspector acting pursuant to this article.
- vii. Notice; time limit.
  1. In the case of any nuisance not requiring summary abatement in the judgment of the Police Chief, Police Officer, or Town Manager, it is the duty of such official to cause notice to be served upon the person responsible for any nuisance which may be found, requiring the person and/or owner to abate the same in a reasonable time and in a reasonable manner as prescribed in this article. The notice may be given or served by any officer directed or deputized to give or make the same. In causing notice to be served, the Police Chief, Police Officer or Town Manager may authorize Town officials, inspectors or any other appropriate Town employee to issue notice of abatement.
  2. The reasonable time for abatement shall not exceed 14 days, unless it appears from the facts and circumstances that compliance due to unforeseen hardship could not reasonably be made within 14 days or that a good faith attempt at compliance is being made.
  3. The notice shall be in writing, signed by the official issuing the same and shall be personally served upon the person responsible for the nuisance, if the person occupies the premises upon which the nuisance exists, but if not occupied by the responsible

person, then by posting the same prominently at some place on the premises upon which the nuisance exists. If service is by posting as designated in this section, then a copy of the notice shall also be mailed by certified mail, return receipt requested, to the Town of the property as shown upon the tax rolls of the county at the address of the owner as therein shown.

4. Upon notification, if the person notified neglects or refuses to comply with the requirements of the notice to abate the nuisance within the time specified, the person is guilty of a violation of this section. The Town Manager, Police Chief or Town Attorney may proceed, upon the expiration of the time specified in the notice, to commence appropriate legal action to cause the nuisance to be abated; provided that, if the owner or person responsible for the nuisance is unknown or cannot be found, said official(s) may proceed to abate the nuisance after notice has been posted for the period equal to the time specified to abate the nuisance. In either case, the expense of such abatement shall be collected from the person who caused, created, continued or suffered the nuisance to exist.
5. When any person has responsibility for a nuisance, and the nuisance exists or is found and the responsible person fails to abate the same after the giving of the notice as provided herein within the time limit therein, or as extended, then the Town Attorney is authorized to institute proceedings in the municipal court or in a court of competent jurisdiction to obtain a judicial determination that the nuisance exists, to abate the nuisance, to enjoin the same, and for such other and further relief as may seem proper or necessary, including, but not limited to, the costs and expenses of abatement.
6. Upon a judicial determination that a nuisance exists, the Town Manager or Police Chief may be authorized to abate the nuisance or cause the same to be abated, employing such force and persons as may be necessary to abate the same, including the employees of the Town, or by contract or otherwise. The Police Chief and other Town officials and employees are authorized and directed to render such assistance as may be required for the abatement of the nuisance and in connection with the enforcement thereof.
7. Any officer or employee of the Town who is authorized under this article to abate any nuisance specified in this article has authority to engage the necessary assistance and incur the necessary expenses thereof. In any case where a nuisance is to be abated by the Town, it is the duty of the authorized person to employ such assistance and adopt such means as may be necessary to effect abatement of the nuisance. It is also the duty of the Town or any of its representatives to proceed in all abatement cases with due care and without any unnecessary destruction of property.

#### **E. Summary Abatement Procedures**

- a) Whenever an emergency situation exists in relation to the enforcement of any of the provisions of this article, the Town Manager, Police Chief, Police Officer, Building Inspector, or Fire Chief, upon a presentation of proper credentials or identification, in the case of an occupied building or premises, may enter into any building or upon any premises within the jurisdiction of the Town. In an emergency situation such person may use such reasonable force as may be necessary to gain entry into the building or upon the premises.

- b) For the purpose of this section, an emergency situation includes, but is not limited to, any situation where there is imminent danger of loss of life or limb, damage to property, or imminent danger to the public health, safety or welfare.
- c) It is unlawful for any owner and/or occupant of the building or premises to resist reasonable force used by any authorized official acting pursuant to this article.
- d) Upon authorization, by the Town Manager or Police Chief, if any nuisance is found to exist and causes such imminent danger to life, limb, property, health, safety or welfare as to require immediate abatement, any such nuisance may be summarily abated by action of the Police Chief, a Police Officer, Town Manager, or the Building Inspector, as may be directed by the Police Chief or Town Manager. Action for summary abatement shall be taken only where the Police Chief, Police Officer, Town Manager or Building Inspector determines that there is imminent danger to life, limb, property, health, safety or welfare which cannot await abatement of the nuisance by any other means available under this article.

**F. Costs and Charges; Liens Against Property**

- a) The person responsible for any nuisance within the Town is liable for and shall pay and bear all costs, and expenses may be collected by the Town in any law action, or collected with an action to abate a nuisance, or assessed against the property as provided in this section.
- b) The notice required in this section shall, in addition, state that if the nuisance is not abated within the time stated in the notice, the costs of such abatement may be assessed as a lien against the property (such notice describing the same) pursuant to the terms of this section, together with an additional five percent assessment for inspection and incidental costs and an additional ten percent assessment for costs of collection, and collected in the same manner as real estate taxes against the property. If the owner of the property is not personally served with a copy of the notice, then a true copy of the notice shall be mailed by registered or certified mail, return receipt requested, to the owner of the property as shown upon the tax rolls of the county at the address of the owner as therein shown.
- c) If after the expiration of the period of time provided for in the notice, or as extended, costs or expenses are incurred by or on behalf of the Town in the abatement or in connection with the abatement of the nuisance, and the costs are not otherwise collected, the Town Manager or Police Chief shall certify to the Town Clerk the legal description of the property upon which the work was done, together with the name of the owner thereof as shown by the tax rolls of the county, together with a statement of the work performed, the date of performance and the costs thereof.
- d) Upon receipt of a statement from the Town Manager or Police Chief, the Town Clerk shall mail a notice to the owner of the premises as shown by the tax roll, at the address shown upon the tax rolls, by first class mail, postage prepaid, notifying the owner that work has been performed pursuant to this article, stating the date of performance and the nature of the work and demanding payment of the costs thereof, as certified by the Town Manager, together with five percent assessment for inspection and other incidental costs in connection therewith. The notice shall state that if the amount is not paid within 30 days of mailing the notice, it shall become an assessment on and a lien against the property of the owner (such notice describing the same) and will be certified as an assessment against the property together with

ten percent assessment for costs of collection, and the assessment mentioned in this section will be collected in the same manner as a real estate tax upon the property.

- e) If the Town Clerk does not receive payment within the period of 30 days following the mailing of the notice, the clerk shall certify the whole costs of the work including a charge of five percent of the whole costs for inspection and other incidental costs in connection therewith upon the lots and tracts of land upon which the nuisance was abated, together with a charge of ten percent of the whole costs for whole costs of collection. The same shall be delivered to the County Treasurer, who shall collect the assessment, including the ten percent charge for costs of collection, in the same manner as other taxes are collected.
- f) Each assessment shall be a lien against each lot or tract of land until paid and shall have priority over other liens, except general taxes and prior special assessments.

#### **G. Penalty**

Any person, firm or corporation violating any provision of this ordinance shall be subject to a fine of not more than three hundred dollars (\$300.00), or imprisonment for not more than ninety (90) days, or by both such fine and imprisonment, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues;

#### **H. Remedies**

- a) Whenever a nuisance exists, no remedy provided for in this article shall be exclusive of any other charge or action, and, when applicable, the abatement provisions of this article shall serve as and constitute a concurrent remedy over and above any charge or conviction of any municipal offense or any other provision of law, and the same shall be cumulative. Any application of this article that is in the nature of a civil action shall not prevent the commencement or application of any other charges brought under the municipal ordinance or any other provision of law. The taking of any action under this article, including charge or conviction of violation of this article in the municipal court, shall not preclude or prevent the taking of other action under the provisions of this article to abate or enjoin any nuisance found to exist.

- b) Injunction

Any violation of this ordinance is hereby declared to be a nuisance. In addition to any other relief provided by this ordinance, the Town attorney may apply to a court of competent jurisdiction for an injunction to prohibit the continuation of any violation of this ordinance. Such application for relief may include seeking a temporary restraining order, temporary injunction or permanent injunction and attorney fees. In the event any litigation or controversy arises out of or in connection with this Ordinance, should the Town prevail in such litigation or controversy, the Town shall be entitled to recover from the other party all reasonable attorney's fees, expenses and suit costs, including those associated with any appellate or post-judgment collection proceedings, and any administrative proceeding related thereto.