

Town of Bonanza

Mission Statement

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State of Colorado
Marilyn Pruitt, San Juache County Recorder
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The Board of Trustees of the Town of Bonanza wishes to create a fair government for all of its residents and at the same time through building codes create a safe place for all to live. We will enforce State well and septic system requirements to help the environment continue to flourish. We pledge ourselves to maintain the original character of Bonanza.

Goals

The Board has set goals to provide a safe passageway to the conservation easement that was donated to the Town of Bonanza so that foot traffic might enjoy the wonderful wildlife found in our beautiful location.

The Board will also work with other governmental offices to help insure the safety and privacy of our residents.

It is our goal to provide a knowledgeable, fair and just government for the Town of Bonanza.

Blumberg No. 5118

EXHIBIT
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Compiled, Revised and Codified Ordinances

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**COMPILED, REVISED AND CODIFIED
ORDINANCES,
AND THE GOVERNING RULES OF
THE TOWN OF BONANZA, COLORADO
2001**

WHEREAS it is deemed expedient and necessary that the Ordinances of the Town of Bonanza, Colorado, should be revised, codified, adopted and arranged in appropriate chapters, articles, and sections; and that the governing rules be clarified in accordance with state law;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BONANZA, COLORADO, THAT THE FOLLOWING FROM THE DAY OF ACCEPTANCE BECOME OFFICIAL AND KNOWN TO ALL:

Please refer to Appendix A for reference of previous registered ordinances of the Town of Bonanza, new items and State Law references.

CHAPTER I.
ORDINANCES, RESOLUTIONS, AND RECORDS

ARTICLE I
Repealing, Adoption, and Rights
of These Compiled Ordinances

SECTION 1. Repealing Ordinance. That each and every ordinance heretofore passed and adopted by the Board of Trustees of the Town of Bonanza, Colorado, be, and the same hereby are repealed, said repeal to become effective coincident with the effective date of these "Compiled Ordinances of the Town of Bonanza, Colorado, 2001," excepting from this repeal, any and all ordinances conveying road and alley closures, land title transfers, franchises and grants, which ordinances are to remain in full force and effect, notwithstanding this general repeal.

SECTION 2. Adoption of Compiled Ordinances. That the following ordinances by, and they hereby are, compiled, adopted, published and declared to be the "Compiled Ordinances of the Town of Bonanza, Colorado, 2001."

SECTION 3. Accrued Rights. Neither these revised ordinances nor the above repealing section shall affect any act done, any right accrued, and penalty incurred, any suit, prosecution or proceeding pending; or the tenure of office of any person holding office, at the time when they take effect, nor shall the repeal of any ordinance thereby have the effect of reviving any ordinance thereto fore repealed or superseded.

ARTICLE II
Ordinances, Resolutions, and Motions

SECTION 1. Ordinances. In accordance with state law (31-1-101 (1) C.R.S.) The Town of Bonanza will use ordinances to represent the exercise of legislative authority, which may be enforced by fines and/or imprisonment for violations thereof. Ordinances may only be amended or repealed by other ordinances. All ordinances shall be in writing and must be authenticated after adoption by the signature of the mayor and town clerk and shall be recorded in a book kept for such purpose (31-16-105, C.R.S.) Approval shall require a majority vote of quorum of governing body present at second meeting.

All ordinances shall be submitted in writing for first reading at one meeting and then carried over to a second meeting for final adoption. The second meeting must not be held less than ten (10) days prior to its final adoption at the second meeting. The ordinance in its entirety must be posted on the Town of Bonanza Bulletin Board, At the Fire House, and a third location to be determined by the Board of Trustees immediately after its first reading and until the second meeting. (31-16-105, C.R.S.)

After an ordinance is adopted The Town of Bonanza shall post the title of the adopted ordinance on the Town of Bonanza Bulletin Board, At the Fire House, and a third location to be determined by the Board of Trustees for 30 days when the ordinance shall come into effect. (31-16-105, C.R.S.)

After adoption an ordinance shall be filed with the County of Saguache in the County Recorder's Office.

SECTION 2. Resolutions. A resolution is of a somewhat lesser formality and shall generally be used to declare and implement non legislative decision making. Resolutions shall be presented in writing, read, and voted upon during the same meeting. Resolutions shall typically be utilized to approve contracts, make appointments, grant permits, vacate streets, roads, avenues, and alleys and memorialize decision making resulting from the exercise of quasi judicial authority (e.g. land use approvals). All resolutions shall be in writing and must be authenticated after adoption by the signature of the mayor and town clerk and shall be recorded in a book kept for such purpose.

After adoption a resolution shall be filed with the County of Saguache in the County Recorder's Office.

SECTION 3. Motions. Motions following Robert's Rules of Order shall be used as procedural motions and provide direction to staff, or to authorize or perform administrative functions.

ARTICLE III Records and Papers

SECTION 1. Records and Papers Open to Inspection. All books, records, maps, charts, surveys, papers and documents on file, in any office in the Town Government or in the custody of any town officer, will be available to the public for inspection by appointment. Removal of such records and papers are prohibited. A copy of the Town of Bonanza Ordinance Book may be purchased from the Town Clerk at a cost set by resolution by the Board of Trustees at the annual Budget meeting.

SECTION 2. Town Seal. That a Seal, the impression of which is as follows:

in the center the word "SEAL" and around the outer edge the words "Town of Bonanza - Colorado" shall be and is hereby declared to be the seal of the Town of Bonanza.

ARTICLE IV
State Law and the Courts

SECTION 1. Omission to Specify General Law Not a Waiver. The omission to specify or enumerate herein those provisions of the statutes of the State of Colorado applicable to incorporated towns shall not be construed to be a waiver of the benefits of any or all such provisions.

SECTION 2. Unconstitutional Provisions. If the Courts of the State of Colorado shall declare any section, subsection, sentence, clause, or phrase of any ordinances of the Town of Bonanza to be unconstitutional or in conflict with any other section, subsection, sentence, clause or phrase of any such ordinance, then such decision shall affect only that portion of the ordinance declared to be unconstitutional and shall not affect any other section or part of said ordinance.

ARTICLE V
Violation and Penalties

SECTION 1. Misdemeanor. Meaning of Term. The word "misdemeanor" whenever it occurs in the Town ordinances, shall be construed to mean and shall stand in lieu of a violation of an ordinance.

SECTION 2. Penalty for Violating Ordinances. Any person violating any provision of any ordinance of the Town of Bonanza, which is penal in its nature, but for which no penalty is provided, shall be guilty of a misdemeanor and unless other provision is made, shall, upon conviction, be punished by a fine of not to exceed \$300 or by imprisonment for a term not exceeding 90 days or by both such fine and imprisonment.

CHAPTER 2.

RULES AND ORDER OF BUSINESS OF BOARD OF TRUSTEES

ARTICLE I Meetings

SECTION 1. Meetings. The regular meetings of the Board of Trustees of the Town of Bonanza will be on a business need basis and may be called by the mayor or three members of the Board of Trustees. The date, time, and location must be posted 24 hours in advance on the Town of Bonanza Bulletin Board. Any regular or special meeting may, by a majority vote of those present be adjourned to any other time convenient for the members.

SECTION 2. Special Meetings. The Mayor or any three members of the Board of Trustees may call special meetings by notice to each of the members of the Council and to the Mayor personally. The date, time, and place of such meeting must be posted. The only business that may be conducted at a special meeting is the business stated on the request for such meeting.

ARTICLE II Quorum

SECTION 1. Quorum. At all meetings of the Board of Trustees a majority of the whole number of members elected to the Board of Trustees shall constitute a quorum for the transaction of business, but a minority may adjourn from day to day.

ARTICLE III Suspension of Rules

SECTION 1. Suspension of Rules. The rules of procedure and order of business shall be adhered to by the Board of Trustees unless they shall be temporarily suspended by a two thirds vote of the members present, but the failure to observe any of the requirements of this ordinance shall not be held to invalidate any acts, orders, ordinances or resolutions of the Board of Trustees that otherwise would be lawful.

ARTICLE IV
Order of Business

SECTION 1. **Mayor Pro Tem.** The Mayor shall preside at all meetings of the Board of Trustees but the Board shall appoint one of its number as mayor pro-tem, who shall act as Mayor in the case of the absence of the Mayor or in case the Mayor for any reason is temporarily unable to perform the duties of his office.

SECTION 2. **Order of Business.** At the hour appointed for meeting, the members shall be called to order by the Mayor or, in his or her absence, by the Mayor Pro-tem and the Town Clerk shall proceed to call the role. If a quorum shall be present the Board shall proceed with the business before it and it shall be conducted in the following order:

- (1) Reading of the minutes of the last regular meeting, and of all intervening special meetings, amendments and approval of the same;
- (2) Presentation of petitions and reports of officers;
- (3) Reports of standing committees;
- (4) Communications to the Board;
- (5) Reports of special committees;
- (6) Unfinished business of preceding meeting.
- (7) Motions, resolutions, orders, ordinances, and notices.

SECTION 3. **Rules of Procedure.** The rules of procedure and order of business not otherwise provided in this ordinance or by statute, shall be in accordance with the "Robert's Rules of Order."

SECTION 4. **Bills.** All bills shall be itemized and dated and verified and shall be approved by the officer or committee authorizing the expenditure before being passed and approved by the Board of Trustees. Bills excluded from prior approval before paying would be utility bills, general office expenses under \$50, and Saguache County Road Maintenance.

SECTION 5. **Committees.** All committees shall be appointed by the Mayor or Mayor Pro-Tem. The committees shall be such as are designated by the Mayor as standing committees and such special committees as he or she shall determine. Committee members need not be Board of Trustee members but the chairman must be a Board of Trustee member.

CHAPTER 3. OFFICERS AND DUTIES

ARTICLE I Officers

SECTION 1. **Elected Officers.** The elected governing officials for the Town of Bonanza shall be Mayor and six (6) Trustees

SECTION 2. **Appointed Officers.** Besides the Mayor and Board of Trustees of the Town of Bonanza, Colorado, as provided by statute, there shall be the following municipal officers who shall be appointed annually by the Board of Trustees in the manner prescribed by statute:

Town Clerk
Deputy Town Clerk (Optional)
Treasurer
Building (Code) Official
Town Attorney (Appointed as needed)

These officers may not vote unless they are also an elected Trustee in which case they maintain their right to vote.

SECTION 3. **Mayor Pro Tem.** The Mayor with approval of the Board of Trustees shall appoint annually a Mayor Pro Tem.

ARTICLE II Term of Office

SECTION 1. **Term of Elected Officers.** Term of office for mayor shall be two (2) years. Term of office for Trustee shall be four (4) years. (31-4-30 (5) C.R.S.) In accordance with state law elected town officials may only serve two consecutive terms of 4 years, or not more than three 2-year terms. (Article XVIII, 11 (1) and (2) Colo Constitution.)

SECTION 2. **Term of Appointed Officers.** The appointment of all of said officers shall be made by the Board of Trustees within thirty days after the qualification of each new board following each election and the term of office of such officer shall be as provided by statute and where the statute makes no provision for any of such appointed officers herein named, the term for each shall be for one year, or a portion of a year, according to the time of appointment, and shall not continue beyond thirty days after the qualification of the members of each new Board of Trustees. All such appointees shall serve at the pleasure of the Board of Trustees and their services and appointments may be terminated at any time by majority vote of the Board of Trustees. 31-4-304, 305, 306 C.R.S.

SECTION 3. Term of appointed officers due to sudden vacancies. The Mayor may appoint with the approval of the Board of Trustees a person to fill sudden vacancies on the Board of Trustees but said position must be filled at the next regularly scheduled election following regular state statutes.

ARTICLE III Elections

SECTION 1. Municipal Election Code. Regular elections in the Town of Bonanza shall be held on the first Tuesday of April in each even numbered year as outlined by state law (31-1-204 (7) C.R.S.) and shall follow the state guide lines for elections.

SECTION 2. Write-in votes. No write-in vote for any municipal office shall be counted unless an affidavit of intent has been filed with the Town Clerk by the person whose name is written in prior to twenty (20) days before the day of the election indicating that such person desires the office and is qualified to assume the duties of that office if elected. The petition and affidavit must meet all state guidelines.

ARTICLE IV Oath and Bonds

SECTION 1. Oath. All officers of the Town, before entering upon their duties, shall take and subscribe to an oath of office.

SECTION 2. Bonds. The Town Clerk and the Treasurer, before entering upon the performance of their duties, shall execute and deliver to the Board of Trustees a bond to be approved by the Board, conditioned for the faithful discharge of their duties. Such bond shall be in such amount and with such surety as the Town Board shall fix and approve.

ARTICLE V Inspection of Books and Papers

SECTION 1. Books and Papers inspection. Every appointive officer named in this ordinance shall at all times when required submit the books and papers of his office to the inspection of the Mayor or any member of the Board of Trustees, and when required by the Mayor or Board of Trustees shall submit a full report of his office or any matter in connection therewith. Every such officer upon going out of office shall deliver to his successor all books, papers, furniture, and other things appertaining to his office.

ARTICLE VI Duties

SECTION 1. Mayor. The Mayor serves as the chair for all regular or special meetings. He or she votes only in the case of a tie unless he or she steps down from the chair and turns the meeting over to the Mayor Pro Tem. (31-4-302 C.R.S.) The Mayor may veto in writing any ordinance or resolution following a meeting where such ordinance or resolution was adopted. At the next regular meeting the ordinance or resolution must be again voted on and this times requires a 2/3 majority vote to adopt said ordinance or resolution. (31-16-104 C.R.S.)

SECTION 2. Mayor Pro Tem. The Mayor shall appoint a Mayor Pro Tem to act in his or her place when unable to attend regular or special meetings or when Mayor steps down from the chair. He or she may be a Trustee and retain all voting rights.

SECTION 3. Trustees. A Trustee shall make up the major governing body of the Town of Bonanza. A Trustee may present ordinances, resolutions, or motions; chair committees; and vote on all matters of the Town of Bonanza.

SECTION 4. Treasurer. The treasurer shall receive all moneys belonging to the Town and shall use such methods in keeping his or her books as are used by competent bookkeepers and such books and accounts shall always be subject to the inspection of the Mayor or any member of the Board of Trustees. He or she shall keep all moneys of the Town on deposit in the named bank depository of the Town, and shall not pay out any money except upon warrant or order of the Board of Trustees unless otherwise expressly provided by ordinance. The Treasurer shall have such other and further powers, duties and liabilities as are prescribed by statute and as the Board of Trustees shall direct. He or she may be a Trustee and retain all voting rights.

SECTION 4a. Municipal Funds Paid Into Treasury. All moneys belonging to the Town and coming into the hands or possession of any Town officers shall be paid into the Town Treasury on Monday, of each week unless the same shall have been paid therein forthwith.

SECTION 4b. Depository for Municipal Funds. The Bank of Choice must be approved by the Board of Trustees in which the Town Treasurer may deposit funds and moneys belonging to the corporation.

SECTION 5. Town Clerk. In addition to the duties enjoined upon the Town Clerk by the Statutes, the Town Clerk shall have custody of the seal of the Town and of all laws, ordinances, papers and records of the Town. He or she shall keep a correct journal of all proceedings of the Board and shall record all ordinances and by-laws of a general or permanent nature passed by the Board in a separate book to be kept for that purpose. He or she shall countersign all bonds and warrants and all contracts and instruments of or concerning the business of the Town, and shall further perform all such duties as the Town Board shall direct. This appointed official does not have a right of vote at Board Meetings.

SECTION 6. Deputy Town Clerk. The Deputy Town Clerk shall serve in the capacity of assistant to the Town Clerk and shall have such duties as assigned to her by the Mayor with approval of the Board of Trustees. He or she may be a Trustee and retain all voting rights.

SECTION 7. Building (Code) Official. The Building (Code) Official may conduct foundation inspections, concrete slab inspections, frame inspections, and lath or gypsum board inspections. The Building (Code) Official will complete a final inspection and issue Certificate of Occupancy if all inspections required by the state have been performed and are in compliance and that all of the requirements of the Town of Bonanza have been made. He or she may be a Trustee and retain all voting rights.

ARTICLE VII Salaries

SECTION 1. Salaries. The salaries and compensation of all officers of the Town of Bonanza shall be as fixed from time to time by the Board of Trustees.

CHAPTER 4. MISDEMEANORS AND OFFENSES

ARTICLE I Misdemeanors and Penalties

SECTION 1. Animals-Encouraging Fighting. Any person who shall within the limits of the Town, cause, instigate or encourage any dog or cock fight, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to fine or imprisonment, or both.

SECTION 2. Animals-Cruelly Treating. If any person shall inhumanly, unnecessarily or cruelly beat, injure, or otherwise abuse any dumb animal, every such person shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to fine or imprisonment, or both.

SECTION 3. Bawdy Houses. No bawdy house or common ill-governed or disorderly house shall be kept or maintained within the limits of the Town or within three miles of the outer boundaries, and every person who shall keep any such house or shall be an inmate thereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to fine or imprisonment, or both.

SECTION 4. Conspiracy to Commit Unlawful Act. Any two or more persons who shall assemble together with an intent to do an unlawful act or being assembled shall mutually agree to do an unlawful act with force or violence against the property of the Town or against the person or property of any citizen, or against the peace or to the terror of others, or shall make any movement or preparation therefor, and every person present at such meeting or assembly who shall not endeavor to prevent the commission or perpetration of such unlawful act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to fine or imprisonment, or both.

SECTION 5. Disturbing Religious Meeting. If any person shall disturb or disquiet any congregation or assembly met for religious worship by making a noise, or by rude and indecent behavior, or by profane discourse, within their place of worship, or so near the same as to disturb the order and solemnity of the meeting, every such person shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to fine or imprisonment, or both.

SECTION 6. Disturbing lawful Assemblage. If any person shall disturb any lawful assemblage of people by rude and indecent behavior or otherwise, every such person shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to fine or imprisonment, or both.

SECTION 7. Disturbing the Peace-Profanity. If any person shall make, or countenance, or assist in making any improper noise, riot, disturbance or breach of the peace, or shall use profane, obscene or offensive language to any person, every such person shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to fine or imprisonment, or both.

SECTION 8. Drunkness. If any person shall be drunk or in a state of intoxication in any street, alley, park or other public place, every such person shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to fine or imprisonment, or both.

SECTION 9. Fireworks-Exploding. No person shall within the Town of Bonanza set off or fire any fire cracker, torpedo, bomb, cap pistol, toy cannon, gun, pistol or other thing containing powder or other combustible or explosive materials; provided, this section shall not apply to any officer using firearms in the discharge of his duty. Any person doing so shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to fine or imprisonment, or both.

SECTION 10. Injury to Public Property. No person shall willfully destroy, cut, injure, mark, damage or deface any public building or property of any kind belonging to the Town of Bonanza, and any person doing so shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to fine or imprisonment, or both.

SECTION 11. Injury to Property-In General. Any person who shall throw stones or other missiles against or in any way deface or damage, the windows, walls or other part of any building or buildings, whether occupied or unoccupied, or who shall in any manner injure the awnings, posts, fences, enclosures or any other improvements of any character whatsoever, either on public or private property, or who shall injure, mark, damage or deface any trees or flowers planted for ornamentation or shade in any public or private place, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to fine or imprisonment, or both.

SECTION 12. Indecent Exposure. Any person who shall appear in any public place in a state of nudity or an indecent or lewd dress or shall make any indecent exposure of his or her person or be guilty of any lewd or indecent act or behavior, every such person shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to fine or imprisonment, or both.

SECTION 13. Littering streets. Any person who shall throw, deposit or place in any street or alley within the limits of the Town any nails, tacks, crockery, scrap iron, glass, tin, wire, or other article liable to cause the puncture of the tires of bicycles, tricycles, motorcycles, or automobiles and other vehicles having rubber tires shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to fine or imprisonment, or both.

SECTION 14. Assault. Any person who shall within the Town of Bonanza throw any stone or other missile at or upon any person, or who shall unlawfully attempt to commit a violent injury upon the person of another or shall unlawfully beat, bruise or wound the person of another within the jurisdiction of the Town of Bonanza shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to fine or imprisonment, or both.

SECTION 15. Nude Bathing in Public. If any person shall bathe or swim within the limits of the Town of Bonanza in a state of nudity, in the daytime, in any river, lake or pool, every such person shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to fine or imprisonment, or both.

SECTION 16. Obscenity. Any person who shall, within the limits of the Town of Bonanza, write, draw, paint, stain, cut, carve, make, scratch, brand, engrave or otherwise make any gross, indecent or obscene work or words, language, picture or device whatsoever, so that the same shall be exposed to public view upon any wall, fence or other thing in any highway, street, alley or other public place or places or in any privy or water closet; or shall stick or put upon any, or in any place aforesaid any paper, wood or other thing on which or from which any work or language, picture or device shall have been expressed, shaped or made in any of the ways aforesaid, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to fine or imprisonment, or both.

SECTION 17. Occupation of Streets. No person shall dig any hole, ditch or drain or make any excavation in any public street or public ground nor shall any person obstruct or block in any manner any street, alley or public place within the Town of Bonanza. Temporary construction involving the excavation in or use of any Town street shall be allowed only upon permit being issued by the Board of Trustees. Every such permit issued shall provide for the prompt and satisfactory repair of such street in a good and workmanlike manner. Any person violating this section, or any part thereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to fine or imprisonment, or both.

SECTION 18. Resisting or Obstructing an Officer. If any person shall resist or obstruct in any manner the marshal or any policemen, or any person, acting with or by authority of the marshal, in the performance of his official duties, every such person shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to fine or imprisonment, or both.

SECTION 19. Discharge of Firearms. It shall be unlawful for any person to discharge or fire any rifle, pistol, revolver, firearm or gun of any kind or character in the Town of Bonanza.

CHAPTER 5.
ZONING, JUNK, RUBBISH,
UNSAFE BUILDINGS, VEHICLES

ARTICLE I
Zoning

SECTION 1. Land Use. The following land uses only shall be allowed in the Town of Bonanza, to-wit: single family dwellings, schools, churches, community centers, other public buildings and uses, parks and playground, and accessory uses to all of the foregoing.

SECTION 2. Land Requirements. The minimum lot area for each single family dwelling shall not be less than 10,000 square feet.

SECTION 3. Livestock. It shall be unlawful for any person to keep or house or cause to be kept or housed within the limits of the Town of Bonanza, any cattle, horses, sheep, goats, pigs, chickens, ducks, geese, pigeons, or any livestock or fowl which would cause an obnoxious odor or noise which would tend to disturb the peace or constitute a nuisance to residents of the Town of Bonanza, Colorado.

SECTION 4. Mobile Homes. Effective November 4, 1998 all mobile homes destined to be placed in the Town of Bonanza shall be situated on Blocks 106, 107, 108, 109, 110 and 111. All mobile homes shall not exceed seven (7) years in age and shall be in a good maintained condition. No salvageable or wrecked units will qualify. Each unit shall have a minimum of 700 square feet, and be on a foundation or skirted when set.

ARTICLE II
Junk and Rubbish

SECTION 1. Dumping of junk and rubbish. No person shall dump, deposit, throw or leave any junk, cans, waste paper, trash, garbage or refuse of any kind on or in any street, alley or property within the limits of the Town of Bonanza.

SECTION 2. Accumulation of junk and rubbish. If any person shall allow any accumulation of junk, cans, wastepaper, trash, garbage or refuse of any kind upon property owned by him within the Town of Bonanza, he shall be subject to the same penalty upon conviction thereof; and to a like penalty for every 24 hours the same shall continue after notice has been given by the Board of Trustees to abate such nuisance.

ARTICLE III Unsafe Buildings

SECTION 1. **Structurally unsafe buildings.** All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard or which are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment are hereby declared to be unsafe buildings. All such unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal.

SECTION 2. **Inspections.** An officer of the Town of Bonanza or other person regularly appointed by the Town Board shall examine or cause to be examined every building or structure, or portion thereof, reported as dangerous or damaged, and if such is found to be an unsafe building, such person acting in behalf of the Town of Bonanza shall give to the owner, or last known owner, of such building or structure written notice stating the defects thereof. Such notice may require the owner, last known owner, or person in charge of the building or premises to commence within 48 hours either the required repairs or improvements or demolition or removal of the building or structure, or portions thereof, and all such work shall be completed within 90 days from the date of notice unless other stipulated in the notice. Such notice may also require that the building, structure, or portion thereof, be vacated forthwith and not reoccupied until the required repairs or improvements are completed and inspected.

SECTION 3. **Notice.** Such notice shall be served by personal delivery upon the owner, or last known owner, if he can be found within the city limits. If he is not found within the city limits, such service may be made by certified mail addressed to the last known address, or the address as shown by the records in the office of the County Treasurer of Saguache County, Colorado; or service may be made by publication in a newspaper published in Saguache County, Colorado by insertion in one regular issue in a weekly paper. If service is by mail, the same shall be complete upon the date the owner, or last known owner, received such notice, and if service is by publication, it shall be complete 10 days after the last publication of such notice. The notice required to be given in this ordinance shall be to the owner, or last known owner, of the property as shown by the records of the County Treasurer of Saguache County, Colorado.

SECTION 4. **Posted Unsafe Building.** The Town of Bonanza may cause a notice reading: "Do not enter, unsafe to occupy" to be posted on the premises and the same shall remain posted until the required repair, demolition or removal is completed.

SECTION 5. Non Compliance of notice. In case the owner, or last known owner, shall fail, neglect or refuse to comply with the notice to repair, rehabilitate or demolish and remove said building or structure, or portion thereof, the Town Board may determine and order that the work specified in the notice be proceeded with on behalf of the Town and a statement of the cost of such work upon completion shall be paid by the Town and the amount thereof thereupon levied as a special assessment against the property and such assessment certified to the Saguache County Treasurer for collection.

SECTION 6. Notice assessments. If the Town Board shall by Resolution assess the cost thereof against the property, the Town Clerk shall give the owner, or the last known owner, of the property so assessed 10 days written notice of such assessment, which notice shall be given in the manner above provided and shall state the amount assessed, the description of the real property assessed, and the date at which such owner may appear at a meeting of the Town Board for the purpose of making objections to such assessment. At the time fixed by the notice, the Town Board shall hear and determine any and all objections made by or on behalf of any such owner, or last known owner, and shall enter its order finally determining the amount payable by the owner of any tract so assessed and the same shall be certified to the County Assessor for collection.

SECTION 7. Entry into condemned building. Upon presentation of proper credentials, any officer of the Town of Bonanza or duly authorized representative of the Town may enter at reasonable times any building, structure or premises in the Town to perform any duty herein proposed.

SECTION 8. Violation. It shall be unlawful for any person, firm or corporation to erect, occupy, use or maintain any building or structure in the Town of Bonanza contrary to the terms of this Ordinance.

ARTICLE IV Vehicles

SECTION 1. Definition. The following definitions shall apply in the interpretation and enforcement of this ordinance:

1) Antique vehicle shall be determined to be any motor vehicle valued principally because of its early date of manufacture, design, historical interest or as a collector's item or licensed as an antique vehicle by the State of Colorado, or other state with similar license provisions.

2) Inoperable vehicle shall mean any vehicle not capable of being promptly started and driven under its own power upon a street or highway.

3) Property shall mean any real property within the Town of Bonanza which is not a street or highway.

4) Street or highway shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

5) Vehicle shall mean a machine propelled by power other than human power designed to travel along the ground by the use of wheels, treads, runners or slides and transport persons or property or pull machinery and shall include without limitation: automobile, airplane, truck, trailer, motorcycle, motor scooter, tractor, buggy and wagon. The term "vehicle" shall not include antique vehicles as defined in this section.

SECTION 2. Abandonment. No person shall abandon any vehicle within the Town of Bonanza and no person shall leave any vehicle at any place within the Town for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned.

SECTION 3. Inoperable vehicle. No person shall leave any partially dismantled, wrecked, inoperable or junked vehicle on any street or highway within the Town of Bonanza.

SECTION 4. Declared nuisance. The Town of Bonanza declares that the keeping of any partially wrecked, junked or inoperable vehicle or parts thereof on any property within the Town is a nuisance. It shall be unlawful for any person who is the owner of any vehicle or any person who is in charge or control of any property within the Town of Bonanza, whether as owner, tenant, occupant, lessee or otherwise, to permit or allow any partially wrecked, junked or inoperable vehicle or parts thereof to remain on such property. This section shall not apply with regard to a vehicle in an enclosed building or a vehicle in a storage place or depository maintained by the Town for impounded vehicles, or a vehicle completely concealed from public view by adequate fencing or covering. There shall be a rebuttable presumption that any motor vehicle which is able to be licensed and is not bearing current license plates is a junked vehicle.

SECTION 5. Notice of violation. A notice of said violation shall be sent by register mail or certified mail to the owner of such vehicle which is located either upon Town right-of-way or private property within the Town, advising such person of the violation and ordering its removal with ten (10) days from the date of the notice.

CHAPTER 6. BUILDING PERMITS, CODES & STREETS

ARTICLE I Building and Septic System Permits

SECTION 1. **Building Permits.** No person, firm or corporation shall erect, construct, alter or repair any building or structure in the Town of Bonanza without first obtaining a building permit from the Board of Trustees. A building and septic system permit is required.

SECTION 2. **Survey required before receiving Septic System Permit.** Before any Septic System Permit may be issued by the Town of Bonanza for the construction of any new home that the property upon which said construction is to take place must be surveyed by a registered licensed surveyor to assure exact location of said property as shown on the Plot Map of the town.

SECTION 3. **Colorado State Land Requirement.** The Town of Bonanza hereby adopts the Colorado State Board of Health Guideline of 10,000 square feet of adjoining land to install an individual sewage disposal system.

SECTION 4. **Contracted Inspector.** Any septic system must comply with Colorado State law and shall be inspected by a contracted Saguache County Septic System Inspector or State Inspector. No Trustee or Mayor has the authority to inspect septic systems.

SECTION 5. **Applying for permits.** To obtain a building or septic system permit, the applicant shall first file an application therefore in writing on a form furnished by the Town Clerk or Board of Trustees for that purpose. Every such application shall be accompanied by building permit fees, septic system permit fees, 2 sets of building plans, plot plans, septic system plans, diagrams, computations and specifications and other data as required in Section 106 of the Urban-Wildland Interface Code.

SECTION 6. **Approved applications.** Upon approval of such plans by the Board of Trustees, a building permit will be issued to the applicant. While septic permit will be issued by Board of Trustees, inspections and approvals will be made by County or State Septic Inspector. Approval will be based on the Town of Bonanza's Building Code as well as all Colorado State Codes governing sewage and sanitation and water facilities in connection with such construction or alteration.

SECTION 7. **Permit Fees.** Building Permit fees and Septic Permit fees will be set by resolution by the Board of Trustees at the annual Budget meeting.

**ARTICLE II
Building Codes**

SECTION 1.a Adoption of Urban-Wildland

Interface Code. There is hereby adopted by the Board of Trustees of the Town of Bonanza, Colorado for the purpose of prescribing regulations mitigating the hazard to life and property from intrusion of fire from wild land fire exposures, fire exposures from adjacent structures and prevention of structure fires from spreading to wild land fuels, that certain code known as the *Urban-Wildland Interface Code* published by the International Fire Code Institute, being particularly the 2000 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended by Section 3 of this ordinance, one (1) copy of which has been and is now filed in the office of the clerk of the Town of Bonanza and the same is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the Town of Bonanza.

SECTION 1.b Adoption of 1997 Dwelling Construction

Under the Uniform Building Code. There is hereby adopted by the Board of Trustees of the Town of Bonanza, Colorado for the purpose of prescribing regulations for the purpose of safe construction that are set out in the Uniform Building Code founded primarily upon health and safety but will at the same time protect the owner's investment, being particularly the 1997 edition of the *Dwelling Construction Under the Uniform Building Code* published by the International Conference of Building Official thereof and the whole there, save and except such portions as are hereinafter deleted, modified, or amended by Section 3 of this ordinance, one (1) copy of which has been and is now filed in the office of the Town Clerk of the Town of Bonanza and the same is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the Town of Bonanza. If requirements from the *Dwelling Construction Under the Uniform Building Code* are covered in the *Urban-Wildland Interface code* the *Urban-Wildland Interface code* will take precedence.

SECTION 2. Establishment and Duties of Code

Official. The *Urban-Wildland Interface Code* and the *Dwelling Construction Under the Uniform Building Code* as adopted and amended herein shall be enforced by the code official to be same as building official appointed by the Mayor of the Town of Bonanza and agreed upon by Quorum of Board of Trustees.

SECTION 3.a Amendments and Deletions to the
Urban-Wildland Interface Code. The *Urban-Wildland Interface Code* is amended and changed in the following respects:

Chapter 1, Section 102.1 Powers and Duties of the Code Official shall be deleted.

Chapter 1, Section 104 Appeals shall be deleted.

Chapter 1, Section 105.1 amended to read: **General.** A building and septic permit is required.

Chapter 1, Section 105.2 Other Permits shall be deleted.

Chapter 1, Section 105.3 #2 shall read: Fences not over 4 feet high as covered in the Ordinances of the Town of Bonanza.

Chapter 1, Section 105.4 amended to read: To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the Town Clerk or Board of Trustees for that purpose. Every such application shall: (no changes to numbers 1, 2, 3, 6, and 7) #4 amended to read: Be accompanied by 2 sets of plans, diagrams, computation and specifications and other data as required in Section 106 of this code, #5 deleted.

Chapter 1, Section 105.6 shall read: The application, plans, specifications and other data filed by an applicant for a permit shall be reviewed by the code official and the town council. If the work described in an application for a permit and the plan, specifications and other data filed therewith conform to the requirements of this code, the town council and code official shall issue a permit to the applicant.

Chapter 1, Section 106.4 Vegetation Management Plans shall be deleted.

Chapter 1, Section 106.6 Vicinity Plan shall be deleted.

Chapter 1, Section 106.7 shall read: One set of approved plans, specifications, and computations shall be retained by the Town Clerk.

Chapter 1, Section 107.3 Right of Entry shall be deleted.

Chapter 1, Section 107.4.4 Citations shall be deleted.

Chapter 3, Urban-Wildland Interface Areas shall read: 301.1 Scope. The entire Town of Bonanza shall be defined as the interface area.

Chapter 4, Urban-Wildland Interface Area Requirements shall be deleted.

Chapter 5, To include: Roof Coverings: No wood shingles or wood shakes will be allowed. Fire rated roof coverings such as metal, asphalt, tile, and fiber glass will be allowed.

Chapter 6, Section 602 Automatic Fire Sprinkler Systems shall be deleted.

Chapter 6, Section 607 Storage of Firewood and Combustible Materials shall be deleted.

SECTION 3.b Amendments and deletions to the Dwelling Construction Under the Uniform Building Code. The 1997 Dwelling Construction Under the Uniform Building Code is amended and changed in the following respects:

Legal Requirements: The Building (Code) Official may conduct foundation inspections, concrete slab inspections, frame inspections, and lath or gypsum board inspections. The Building (Code) Official will complete a final inspection and issue Certificate of Occupancy if all inspections required by the state have been performed and are in compliance and that all of the requirements of the Town of Bonanza have been made.

Fire Warning System: The first sentence shall read: Dwelling units shall be provided with approved smoke detectors only if there are no wood burning appliances. In the case of wood burning appliances approved heat detectors or rate-of-rise detectors must be provided.

Roof Coverings: The section on wood shingles or wood shakes are to be deleted. They will not be allowed. Fire rated roof coverings such as metal, asphalt, tile, and fiber glass will be allowed.

Modular Homes: The installation of Modular Homes will follow the same submittal process but the Building Official will be able to allow Modular Homes that were built to comply with other nationally recognized standards such as HUD, BOCA, Southern, International, etc.

SECTION 4. New materials, processes or occupancies which may require permits. The Building (Code) Official and Board of Trustees shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now enumerated in said code.

SECTION 5. Conflicting codes and ordinances. Where existing codes and ordinances, or parts thereof, are in conflict or inconsistent with the provisions of this ordinance and the Urban-Wildland Interface Code, the most restrictive provisions shall apply.

SECTION 6. Severability. The Board of Trustees of the Town of Bonanza hereby declares that should any section or provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, the declaration shall not affect the validity of this ordinance as a whole or any part thereof that is not specifically declared to be invalid or unconstitutional.

SECTION 8. Boundaries of Urban-Wildland Interface.
The boundaries shall be the entire Town of Bonanza.

SECTION 9. **Building Set Back Limits.** Any structure must have a 15 foot front and rear set back and a 5 foot side set back from property line.

ARTICLE II
Street, Roads, and Avenues

SECTION 1. **Surveying.** Any and all streets, roads and avenues to be constructed within the city limits of the Town of Bonanza must conform to the Plat map of the town of Bonanza and must be surveyed by a registered licensed Surveyor, at the expense of the builder, before construction begins.


SECTION 2. **Graveling.** Any and all streets, roads, and avenues to be built within the Town of Bonanza must be surfaced at the expense of the builder to a width not less than 20 feet with six inches of class 6 gravel to compact to a three inch surface.

Introduced, read, and posted on this 1st day of July, 2001

Passed and adopted, signed and approved this 21st day of July, 2001.



Mayor



Town Clerk
acting Town Clerk

Ordinance become effective August 21, 2001.
