



NOTICE OF THE REGULAR MEETING OF THE GENERAL ASSEMBLY

TOWN OF OPHIR, CO 81426

THURSDAY 7:00 PM, MAY 23, 2023

OPHIR TOWN HALL 36 PORPHYRY ST.

[Join Zoom Meeting](#)

Meeting ID: 867 0143 8435 Passcode: 373146

+16699006833,,86701438435#,,,,*373146# US (San Jose)

AGENDA

1. CALL TO ORDER
2. ADOPTION & SIGNATURE OF FEBRUARY 21, MARCH 21 and APRIL 18 REGULAR GA MEETING MINUTES and MARCH 13 SPECIAL MEETING MINUTES
3. APPROVAL OF AGENDA
4. BUSINESS ITEMS
 - a. Waller/Cornwall/Whitaker lawsuit update (Johnson/McConaughy)
 - i. Executive session for a conference with the Town Attorney and Special Counsel for the purpose of receiving legal advice on specific legal questions under CRS Section 24-6-402(4)(b), specifically regarding a lawsuit filed by Joseph Waller against the Town.
 - b. Approval of contract with Bruin Waste for trash/recycle hauling (Wontrobski)
 - c. Public Hearing/First Reading- Ordinance #2023-01 Adoption of 2018 Residential Building Code (Kuper)
 - d. Approval of Resolution #2023-01 2023 San Miguel County All Hazards Mitigation Plan Update (Kuper)
 - e. Town Elections (Wontrobski)
 - i. Mayor
 - ii. Clerk
 - iii. Mayor Pro Tem

5. STAFF REPORTS
 - a. Town Manager
6. NEW BUSINESS
7. ADJOURN

General Assembly Meeting Memorandum

To: Ophir General Assembly

From: John Wontrobski, Ophir Town Manager

Date: May 19, 2023 for May 23, 2023 GA meeting

4a. **Waller/Cornwall/Whitaker Update:**

This item will be handled by Town Attorney Steve Johnson along with our Specialized Attorney David McConaughy and may involve an Executive Session.

4b. **Bruin Waste Contract**

The Town of Ophir recently changed waste and recycle haulers from Waste Management to Bruin Waste and this contract needs to be approved by the General Assembly for signature by the Town Manager.

4c. **Ordinance #2023-01 Adoption of 2018 Residential Building Code**

This is the First Reading/Public Hearing for an update to the Residential Building Code to the 2018 (latest) edition. It also involves some changes to the LUC as recommended by the Planning and Zoning Commission.

4d. **Resolution #2023-01 Approval of 2023 San Miguel County All Hazards Mitigation Plan**

For the past six months the Town Manager participated in a county-wide update of the San Miguel County All Hazards Mitigation Plan, as coordinated by the Emergency Service Department of the San Miguel Sheriff's Department. The 2023 version of the plan has been finalized, and approved by FEMA and now needs to be approved by the various jurisdictions in San Miguel County, including Ophir. The entire plan (236 pages) can be read on the SMSO website; the excerpt provided in the GA meeting packet includes sections where Ophir is referenced.

4e. **Town Elections:**

- | | | |
|----------------|------------|--------------|
| - Mayor | Candidate: | Andy Ward |
| - Mayor ProTem | Candidate: | Mason Osgood |
| - Clerk | Candidate: | Ben Foster |

Bruin Waste Management Service Agreement

SERVICE PROVIDED. Customer agrees that the Contractor will have the exclusive right to collect and dispose of Customer's waste materials under the terms of this agreement. Contractor will provide service in terms of frequency and size of container as set forth in the attached customer information sheet. Such size and frequency may change from time to time as agreed by the parties. Contractor agrees to provide the equipment necessary to provide this service.

WASTE MATERIALS. The waste materials to be collected includes only municipal solid waste, construction and demolition materials or recyclables as further described or identified in the agreement below. No hazardous waste, radioactive waste, medical waste, liquid waste, tires, E-waste or other types of waste that cannot be commingled with municipal solid waste nor can be disposed of in a municipal solid waste landfill will be included by Customer in the receptacle for collection ("Excluded Waste"). Customer agrees to pay for the additional cost of removal of such materials should it mistakenly include such materials in the receptacle.

TERM. The initial term of this agreement will be for twelve (12) months. For new customers, the agreement term starts on the date of delivery of Contractor's equipment to the Customer's location. For existing customers, the term begins on the date of signing this agreement. The agreement shall automatically renew at the end of the initial term and extend annually thereafter unless either party provides written notice to the other party of its desire to discontinue the agreement. Such notice to be provided at least 90 days prior to the end of the agreement but no more than 120 days prior to such time. Notice will be provided to the party's address as set forth below. Customer agrees that it will not cancel the agreement to engage a third party, if Contractor meets the terms of such third party's proposed service.

PAYMENTS. The Customer will pay for the equipment and services provided by the Contractor on a monthly basis in accordance with all fees and other charges as set forth on the attachment. The due date for the payment is also shown on the attachment. Late payments shall include a 1.5% per month late charge. Customer will pay for the recycling charges as set forth on the attachment which may be adjusted from time to time to reflect a decrease in commodity prices.

RATE CHANGES. Contractor may increase the charge for its service from time to time. Such change may reflect a number of factors impacting Contractor's cost of providing the services including changes in the Consumer Price Index, changes in the cost of fuel, disposal, materials used in the business, insurance, labor, health care, state or local fees, and other such expenses impacting the Contractor's cost of providing the service. Other costs impacting the Contractor's cost of providing the services can include a change in the average weight of the Customer's waste materials. Upon making any such rate changes as discussed above, this agreement will remain in full force and effect.

EQUIPMENT CARE. The equipment provided by the Contractor for the services provided will remain the property of the Contractor. The Customer will take reasonable care of the equipment and be responsible for maintaining the equipment in good condition subject to reasonable wear and tear. Customer will be responsible for all damage to the equipment including from bears and other animals. Customer will not overload the equipment and will only use it for the services covered under this agreement.

ACCESSIBILITY. Customer will ensure that the equipment is accessible for disposal on the day of collection. If the equipment is not accessible on the day of service, Contractor will attempt to notify the Customer. Should the inaccessible equipment issue not be resolved quickly, Contractor may have to charge the Customer for the delay caused.

TITLE TO WASTE. The waste shall remain the property of the Customer until such time as the waste is collected into the Contractors collection vehicle. Excluded Waste will always be the property of the Customer.

PAVEMENT DAMAGE. The Customer certifies that the pavement upon which Contractor's equipment is located can support the weight of the Contractor's vehicles. Further, Contractor will not be responsible for any damage to such pavement.

ASSIGNMENT. This agreement may be assigned on the terms as set forth herein.

BREACH, OPPORTUNITY TO CURE, ATTORNEYS FEES. Should either party breach this agreement, the other party will promptly notify the other of the breach and give the other party a reasonable period of time to cure the breach. Further, should Customer breach the contract, fail to pay, attempt to discontinue the service prior to the end of the term, damage equipment or other violations of the agreement and fail to cure such breach and require Contractor to enforce the agreement by using an attorney, Customer will be responsible for paying Contractor's attorneys' fees.

GOVERNING LAW. This agreement will be governed by the laws of the state of Colorado. Disputes under this agreement will be resolved through binding arbitration as conducted under the rules of the American Arbitration Association. However, the Customer will not be able to make a claim in arbitration concerning sums past due under this agreement. The losing party will pay the costs of the other party's legal fees and costs of such process.

Customer

Bruin Waste Management, LLC

Signed:

Signed:

Name:

Name: Dustin Weitzel

Title:

Title: Sales

Date:

Date:

Address:

Address: 31186 HWY 145 | P.O. Box 630

Naturita, CO 81422

Item #4c

THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR, COLORADO

ORDINANCE No. 2023-1

AN ORDINANCE OF THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR, COLORADO FOR THE PURPOSES OF ADOPTING INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION AND THE INTERNATIONAL FIRE CODE, 2018 EDITION; DELETING THE GREEN ENERGY CODE, AND MISCELLANEOUS AMENDMENTS TO THE OPHIR LAND USE CODE.

WHEREAS, the Town of Ophir, Colorado (Town), a Colorado home rule municipality, has the authority to regulate the use and development of land located within the Town's incorporated area pursuant to inter alia, the following authorities:

1. Article XX of the Colorado Constitution;
2. Any and all other powers granted to the Town authorized by statute or by common law for the regulation of land uses, subdivisions and real improvements of property, including, but not limited to C.R.S. 31-23-301 et seq.; and

WHEREAS, the Town is also authorized by the provisions of Colorado Revised Statutes ("C.R.S.") §§ 31-16-201-202 to adopt by reference the published codes of any non-governmental organization or institution, including but not limited to building codes, fire codes, plumbing codes, electrical codes and mechanical codes; and

WHEREAS, the Ophir Planning and Zoning Commission has received an application for adoption of the International Residential Code, 2018 edition (2018 IRC) with amendments, and conducted a duly-noticed public hearing thereon on May 10, 2023, and on May 23rd, 2023 as to the 2018 IRC and the International Fire Code, 2018 edition (2018 IFC) and the Land Use Code (LUC) amendments set forth in Section 4, below, and has recommended to the General Assembly adoption of the 2018 IRC together with such amendments to the 2018 IRC as set forth on the attached Exhibit A, together with the additional sections of this Ordinance; and

WHEREAS, the General Assembly desires to adopt the 2018 IRC, subject to the Amendments and Exceptions referenced below, and

including all Appendices attached to the 2018 IRC and expressly acknowledged in the amendments to the 2018 IRC as set forth in Exhibit A; and

WHEREAS, following recommendation of the Town Planning and Zoning Commission for adoption of such building codes with specific amendments, the Town General Assembly has conducted a public hearing pursuant to C.R.S. § 31-16-203 on May 23, 2023 and on June 27, 2023 concerning the adoption of the 2018 IRC, as amended and 2018 IFC by reference and finds and determines that it is necessary to the health, safety and general welfare of the public that the Town regulate conditions hazardous to life and property by the adoption of the 2018 IRC with certain amendments and modifications thereto, and the adoption of the 2018 IFC. The 2018 IRC, as amended, and the 2018 IFC are sometimes referenced as the Town building codes.

NOW, THEREFORE, THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR HEREBY ORDAINS:

SECTION 1 2018 IRC and 2018 IFC Adoption.

A. The Town hereby adopts and incorporates herein by reference as a building code of the Town, the International Residential Code, 2018 Edition; published by the International Code Council, 4051 Flossmor Road, Country Club Hills, IL 60478, except as otherwise provided by amendment or deletion as shown in Exhibit A. Appendices not listed or acknowledged in said Exhibit A are not incorporated or adopted.

B. Pursuant to Section 32-1-1002(1)(d), C.R.S., which authorizes the adoption and enforcement of fire codes by fire protection districts within the boundaries of a municipality upon the consent of the municipality, the General Assembly does hereby adopt the 2018 IFC, and consents to, empowers and delegates to the Telluride Fire Protection District (“TFPD”) the adoption, administration and enforcement of the 2018 IFC, as amended, within the Town. Permits as required by the Fire District shall be as set forth in its adopted permit fee schedule. In the event of any conflict or inconsistency between the 2018 IFC and the International Fire Code as adopted and amended by the TFPD, the latter shall control.

Section 2. Copies on file.

At least one (1) copy of the 2018 IRC, certified to be a true copy, has been and is now on file in the office of the Town Clerk or Town Manager, except that copies of the 2018 IFC are available in the office of the Fire Marshal of the Telluride Fire Protection District. Copies may be inspected by any interested person between the hours of 8 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. The Town building codes as finally adopted shall be available for sale to the public through the office of the Town Clerk or the Fire Marshal.

Section 3. Amendments.

The 2018 IRC as adopted by the Town is hereby amended as follows: See Exhibit A, including Appendix A to Exhibit A, REMP Calculations, attached hereto and incorporated herein by this reference.

SECTION 4. LUC AMENDMENTS.

A. SECTION 107 OF THE OPHIR LUC IS HEREBY AMENDED TO READ AS FOLLOWS:

§107. ADOPTION OF INTERNATIONAL RESIDENTIAL CODE. THE TOWN OF OPHIR HAS ADOPTED THE INTERNATIONAL RESIDENTIAL CODE (IRC), 2018 EDITION, AS AMENDED BY EXHIBIT A TO ORDINANCE 2023-1, AND THE 2018 IRC AS AMENDED SHALL APPLY AND TAKE EFFECT EXCEPT WHERE IT DIRECTLY CONFLICTS WITH THE PROVISIONS OF THIS LUC. THE 2018 IRC, AS AMENDED, SHALL BE CONSIDERED A TOWN BUILDING CODE.

B. SECTION 108 OF THE OPHIR LUC IS HEREBY AMENDED TO READ AS FOLLOWS:

§108. ADOPTION OF SAN MIGUEL COUNTY AND TOWN OF OPHIR PRESCRIPTIVE ENERGY CODE. THE TOWN OF OPHIR HAS ADOPTED THE SAN MIGUEL COUNTY AND THE TOWN OF OPHIR PRESCRIPTIVE ENERGY CODE. SEE APPENDIX B FOR SUCH CODE. The Prescriptive Energy Code shall be considered a Town Building Code.

SECTION 5. PUBLICATION.

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON THE DATE OF PUBLICATION OF NOTICE OF ITS PASSAGE, TOGETHER WITH THE PENALTY CLAUSE AS SET FORTH IN SECTION 11, BELOW, IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE TOWN OF OPHIR. After final adoption, notice of passage shall be published in the manner prescribed by the Town Charter.

Section 6. Board of Adjustment and Appeals.

Section 1501.13 of the LUC is hereby amended and replaced in its entirety, to read as follows:

Appeals from orders, determinations or decisions made by the Building Official relative to the application, enforcement and interpretation of any of the 2018 IRC, as amended shall be processed and heard by the Board of Adjustment and Appeals. The Board of Adjustment and Appeals shall be empowered to adopt rules and regulations for processing appeals and for conducting its business and shall render decisions and findings in writing to the appellant with a duplicate copy to the Building Official. The Town Planning and Zoning Commission Members are hereby designated as the Board of Adjustment and Appeals for all of the Town building codes, except as to the International Fire Code, and shall have and exercise all of the rights, powers, and obligations set forth in C.R.S. 31-23-301, et seq. Each present or future member of the Planning and Zoning Commission shall also be a member of the Board of Adjustment and Appeals without need for separate appointment. There are no other qualifications required to serve as a member of the Board of Adjustment and Appeals. The building official shall be an ex officio member of said Board but shall not have a vote on any matter before the Board. Additional provisions in the 2018 IRC that relate to appeals shall apply to the extent not inconsistent with this Section 1501.13.

Section 7. Non-Abatement.

This Ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided and the same shall be construed and concluded under such prior ordinances.

Section 8. Repealer; Conflict.

This Ordinance shall supersede and replace all ordinances and codes or portions thereof not consistent with this Ordinance. In the event of any inconsistency between any provisions of the 2018 IRC, as amended, or the 2018 IFC, and this Ordinance, the provisions of this Ordinance shall control.

Section 9. Permit Fees.

All IRC plan review and permit fees shall be as set forth in 2018 IRC Appendix Chapter L. With respect to the International Fire Code, 2018 edition, plan review and inspection fees shall be identical to those adopted by the Telluride Fire Protection District pursuant to TFPD Resolution No. 2019 – 3, a Resolution Adopting and Amending the International Fire Code, 2018 edition, published by the international code council, and establishing plan review and Inspection fees pursuant to the statutes of the State of Colorado, 32-1-1002, a copy of which Resolution is incorporated herein by this reference.

Section 10. Official Liability.

Section 1501.3 of the LUC is hereby amended and replaced in its entirety to read as follows:

1501.3 The building official, and each member of the board of appeals or employee charged with the enforcement of the building codes, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be civilly or criminally rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. The Building Official and Fire Official shall be entitled to all immunities and limitations as provided to public employees under the Colorado Governmental Immunity Act, Section 24-10-101, et seq., C.R.S. The building codes shall not be construed to relieve or lessen the responsibility of any person owning, operating or controlling any building or structure for any damage to persons or property caused by defects on or in such premises, nor shall the building codes

enforcement agency or official, any employee thereof or the Town of Ophir be held as assuming any such responsibility or liability by reason of the adoption of the Town building codes or by the exercise of inspections authorized and carried out thereunder or by the issuance of any permits or certificates issued pursuant to the building codes. Any suit brought against the Building Inspector, Enforcement Official, his or her employee, or any member of a public body of the Town of Ophir when acting in his or her official capacity, shall be defended by the Town of Ophir.

Section 11. Penalty; Fee.

Section 1502.1 of the LUC is hereby amended and replaced in its entirety to read as follows:

A. It shall be unlawful for any person, including an owner, occupant or builder, to excavate for a building or structure, erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the Town, or cause the same to be done, contrary to or in violation of any of the provisions of any of the Town building codes. A violation of any of the provisions of the Town building codes shall constitute a civil violation, punishable by a civil penalty fine of not more than One Thousand Dollars (\$1,000) for each separate offense. A separate violation shall be deemed committed on each day or portion thereof that the violation of any of the provisions of the Town building codes occurs or continues unabated after any time limit set for abatement of the violation. The Building Official shall have discretion to issue, impose, adjust or waive any civil penalty fine in order to secure compliance with the Town building codes. Any penalty fine may be enforced or collected by an action commenced in San Miguel County Court, San Miguel County District Court, or the Ophir Municipal Court, State of Colorado.

B. In addition to any civil penalty fine, any person, including an owner, occupant, or builder, who commences work requiring a permit on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee equal to the cost of the what the required permit would be, or a minimum of \$100.00, whichever is greater. Payment of this fee does not constitute approval of work already completed and does not assure that a permit will be issued for the project under consideration.

SECTION 12. SEVERABILITY.

If any one or more sections or parts of this Ordinance is adjudged unenforceable or invalid by a court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, the intention being that the various provisions herein are severable.

SECTION 11. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon publication of notice of final adoption. Notwithstanding the foregoing, a project may be evaluated, inspected and permitted by the applicable pre-existing code that was in effect prior to the date of publication up and until June 30, 2023. Projects that have a currently active building permit will continue to be evaluated per the requirements of the pre-existing code . All projects submitted after June 30, 2023 shall be evaluated per the requirements of this Ordinance.

Introduced, Read and Referred to Public Hearing at First Reading by the General Assembly on the _____ day of May, 2023.

Approved and Adopted on Second and Final Reading by the General Assembly of the Town of Ophir on the _____ day of _____, 2023.

Town of Ophir Ordinance 2023-1

**By: _____
Andy Ward, Mayor**

**Attest: _____
John Wontrobski, Town Manager**

**_____
Approved as to Form: Town Attorney**

EXHIBIT A

Amendments for Ophir

References to jurisdiction in Section R101.1 (Title) and elsewhere shall mean the Town of Ophir.

Section R102.7 is amended to read:

The legal occupancy of any structure existing on the date of the adoption of this Code shall be permitted to continue without change, except as is specifically covered in this Code or as is deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.

Sections R104.10.1, R105.3.1.1, R301.2.4, R309.3 and R322 are hereby amended to read:

Consideration of Avalanche Hazards and Flood Hazards shall be as adopted by Article XIII and Article IX if Ophir’s Land Use Code.

Section R105.1 is amended to add a subsection for clarification:

R105.1.1 Re-roofing Permit. A permit is required to reroof any structure governed by the IRC.

Section R 105.2 Work Exempt from permit is amended to read as follows:

Building:

1. One story detached accessory structures used as tool and storage sheds or playhouses, provided the floor area does not exceed 200 square feet is hereby deleted. All structures shall go through the proper application and approval process.
2. Fences not over 3’-0” high. However, all materials for fences, and temporary construction fences, shall go through the P&Z approval process per LUC Article 3, Section 303.5.

Exemptions 9 and 10 are hereby deleted as stated in the IRC, and are replaced with the following exemptions:

9. Door replacements provided no structural changes are needed or proposed.

Electrical: All exemptions are subject to the laws established by the Colorado Electrical Board.

Plumbing: All exemptions are subject to the laws established by the Colorado Plumbing Board.

Table R301.2(1) (Climatic and Geographic Design Criteria) is amended to read:

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIRED	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed (mph)	Topographic effects	Special wind region	Windborn debris zone		Weathering	Frost line depth	Termite				
Refer to ASCE 7 or Colorado Design Snow Loads, SEAC 2016	115 (see footnote "a" below)	NO	NO	NO	C	Severe	See footnote "b" below	Consult pest management professional	-6 F	YES	2000	40 degrees F

1. Footnotes:

a). Exposure C will be assumed unless otherwise noted on sealed construction drawings prepared by a licensed engineer.

b.) If elevation is $x > 7500'$, then 48" inches from grade to B.O.F.

Section R302.1 is amended to read:

R302.1 Exterior walls.

Exceptions 2, 3, and 4 are hereby deleted.

Tables R302.1(1) and R302.1(2) are amended to require a minimum Fire Separation Distances (FSD) of six feet (6'-0") for Exterior Walls and Projections or per Ophir's LUC Article IV when the FSD is with regard to Property Lines – the most restrictive shall apply.

Section R105.5 (Expiration) is amended to read:

1. Work must commence within 180 days of issuing the permit.
2. Unless determined otherwise by the Building Official because of the size or complexity of the project, each inspection must be completed within 180 days of the previous mandated inspection according to the following schedule:
 - Reinforcement in footings or structural (monolithic) slab.
 - Reinforcement in stem-wall or basement-wall.
 - Wall and roof sheathing (as required by AHJ)
 - Framing (which implies that plumbing, electrical and mechanical have already passed inspection or will be inspected at the time of the framing inspection).
 - Insulation.
 - Drywall or other interior wall coverings.
 - All final inspections.

Section R108.2 (Schedule of permit fees) is amended to read: Per Appendix Chapter L

Section R108.3 (Building permit valuations) is amended to read: Valuations shall be determined by the Building Official, at \$375 per square foot.

Section R108.6 (Work commencing before permit issuance) is amended to read: Any person who commences work requiring a permit on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee per Article 15, Section 1502.1 of Ophir's LUC.

Section R112 (Board of Appeals) is amended to read:

Section R112.3 (Qualifications) is hereby deleted.

Section R113 (Violations) is amended to read: Violations shall be processed pursuant to Article XV, Section 1502 of Ophir's LUC.

Sections R309.5, R313, and P2904 (Automatic Fire Sprinklers) are hereby deleted.

Section R310 Emergency Escape and Rescue Openings is hereby amended to add a new Subsection R310.2.3.3 to read as follows:

R310.2.3.3 Roof Section Required. Every window well serving as an Emergency Means of Egress shall have a roof section that extends beyond the window well footprint.

Section R311.2 Egress door is hereby amended to add a new Subsection R311.2.1 which shall read:

R311.2.1 Egress doors shall be provided with protection from ice and snow shedding.

Section R318 (Subterranean Termites) is hereby deleted.

Section R326.1 (Swimming Pools and Spas) is hereby deleted.

Section R403.6 (Mechanical Ventilation) is hereby amended to add:

Mechanical ventilation must be provided with use of an HRV or ERV, or similar method as approved by the building inspector.

Section R908 is amended to add a new subsection (R908.7). R908.7 shall read: Attic ventilation shall be made to comply with Section R806 (Roof Ventilation).

Section R1004.4 (Unvented Gas Log Heaters) is amended to read: Unvented Gas Log Heaters are prohibited.

Section R1004 (Factory Built Fireplaces) is amended to add subsection R1004.6 which shall read:

Section 1004.6 All factory-built gas fireplaces shall be sealed units.

Section M1401.3 is amended to add subsection M1401.3.1 which shall read:

M1401.3.1 All fuel-fired appliances shall be sealed combustion units, with efficiency ratings of 95% or higher.

Section M1414.1 (Fireplace Stoves - General) is amended to add subsection M1414.1.1.

Section M1414.1.1 shall read: Wood-burning appliances: All wood-burning fireplaces and wood stoves must have outside combustion air with tight fitting doors and shall be designed not to require indoor combustion air. Wood stoves must be EPA certified or listed as an exempt device.

Section G2445 (Unvented Room Heaters) is amended to read: Unvented Room Heaters are prohibited.

Section G2406.2 (Appliance prohibited locations) is amended to delete Exceptions #3 and #4.

Section G2425.8 (Appliances not required to be vented) is amended to delete item #7.

Section N1101.4 is amended to add subsections N1101.4.1 and N1101.4.2 which shall read:

N1101.4.2 Electric-ready (at least state minimum). All new residences, accessory structures, alterations, and additions shall comply with the state of Colorado's requirements developed to comply with Colorado House Bill 22-1362 to be electric-ready.

N1101.4.1 Solar-ready. (IRC Appendix T or state minimum). All new residences, accessory structures, alterations, and additions shall comply with the state of Colorado's requirements developed to comply with Colorado House Bill 22-1362 to be Solar-ready.

Section N1101.13 Item #3 is amended to read:

3. The energy rating index (ERI) approach in Section N1106. Projects shall not include onsite renewable energy systems in their preliminary rating design and score.

Section N1101 is amended to add Sections N1101.15 and N1101.16 which shall read:

N1101.15 Renewable Energy Mitigation Program (Mandatory). Add Section N1101.15 to read: Town of Ophir's Renewable Energy Mitigation Program (REMP) is designed to encourage the design and construction of 100% electric homes and accessory structures and to help offset the effects of fossil fuel energy consumption that contribute to the effects of greenhouse gas emissions. The provisions of REMP shall be applied as follows:

N1101.15.1 Scope. Fossil fuel sources (such as Propane) used for the home to provide space heating, heat domestic water, or serve appliances such as cooking stoves, clothes dryers, etc. for all new residences, accessory structures, alterations, and additions shall be mitigated through REMP and shall comply with N1101.15.1 through N1101.15.3.

N1101.15.1.1 Space Heating. All space heating designed to use a fossil fuel anywhere on the property shall be offset by REMP. Estimated annual heating energy use shall be calculated in accordance with ACCA Manual J or other approved heating calculation methodology.

N1101.15.1.2 Domestic hot water. All domestic hot water systems designed to use a fossil fuel located on the property shall be offset by REMP. Estimated annual hot water heating energy use shall be as provided by the manufacturer with the appliance or calculated in accordance with an approved hot water heating calculation methodology.

N1101.15.1.3 Cooking stoves, clothes dryers and other appliances. All cooking stoves, clothes dryers and other appliances designed to use a fossil fuel located on the property shall be offset by REMP. Estimated annual fossil fuel energy use shall be as estimated by the U.S. Government EnergyGuide, Department of Energy ENERGY STAR program, or other annual manufacturer energy use values provided with the appliance.

N1101.15.2 Energy Use Calculation. The total fossil fuel energy use that must be mitigated with renewable energy or payment made as a payment in-lieu as allowed in these regulations will be provided by the owner/agent and verified by the County Building Official using the Town of Ophir REMP Worksheet ("Worksheet"). The Worksheet is attached at end of IRC amendments as

Appendix A and a fillable version can also be found at <https://townofophir.colorado.gov/planning-and-zoning>. The Worksheet calculations were developed using the greenhouse gas emissions factor for propane and cost of installing solar PV to offset GHG emissions. The Worksheet will be updated regularly according to market fluctuations and may be amended by resolution.

N1101.15.2.1 Renewable Energy Credit Calculation. Mitigation of fossil fuel energy use may be achieved by onsite renewable energy systems approved by the Building Official. The payment in lieu shall be calculated using the Worksheet.

N1101.15.2.1.1 Alternative technology. As new technology or other offsite renewable energy projects develop, they may also be considered as approved mitigation systems by the Building Official.

N1101.15.2.1.2 Combination of measures. If the amount of renewable energy capable of being produced onsite by one system is not sufficient to mitigate exterior energy use as outlined, a combination of renewable energy methods may be used as approved by the Building Official.

N1101.15.2.2 Payment in-lieu. If preferred by the property owner, the owner may make a one-time payment to Town of Ophir in-lieu of providing onsite mitigation by a Town approved renewable energy system. Town of Ophir may also accept partial payment in lieu from the affected property owner when only partial onsite mitigation of exterior energy use occurs. The owner shall make payment prior to receiving the building permit. The payment in-lieu shall be calculated using the Worksheet.

N1101.15.2.2.1 Appropriation of Funds. All REMP payments in lieu received by the Town shall be deposited into a separate fund called the “Town of Ophir Energy Fund” (Fund). All monies deposited into such Fund shall be used solely within Town of Ophir for the purposes of:

1. funding capital expenses associated with purchase, installation, and/or construction of renewable energy or energy conservation facilities;
2. and/or funding projects that help to mitigate greenhouse gas emissions.

The Town of Ophir shall approve expenditures from the Fund after receiving recommendations from Town Staff or through a town-approved REMP community grant program.

N1101.15.3 Approved Renewable Energy Systems. All renewable energy systems proposed as a means of exterior energy use mitigation must be approved in advance by the Building Official. An engineering analysis may be required for calculating the renewable energy mitigation credit produced by an onsite or offsite system. Review of the system by a Town engineering consultant, if needed, will be at the expense of the owner.

N1101.15.3.1 Perpetuity of onsite mitigation. Onsite renewable energy systems provided to mitigate exterior energy are required to be maintained and operated for the lifetime of the structure, through a written agreement with the property owner and a covenant on the property.

N1101.15.3.2 Off-site Mitigation. Off-site renewable mitigation shall only be approved by the Building Official if, through a written agreement:

1. the system is legally tied to the property using exterior energy use with the inability to transfer to another property;
2. the Town, at any time, can verify through audits that the offsite renewable energy system continues to provide renewable energy as provided for herein, with no restrictions on the Town's ability to access renewable energy utility information.

N1101.16 Renewable energy offset requirement: 100% of the electricity use for the home and any accessory buildings must be provided with renewable energy, either produced on-site or purchased through a Green Power production program, such as SMPA's Totally Green program. The Building Official will require proof of participation in the program prior to CO. Creative alternative options will be considered by the Building Official.

Section N1102.1 Exception #2 is amended to add subsections a, b, and c, and to read:

2. Log Homes shall comply with the requirements of ICC400. They shall also be required to obtain a blower door test with results of 3ACH50 or less.

a). WINDOW TO FLOOR AREA Ratio = 18% maximum

b). Allowable percentage of window area measured by rough opening sizes. R-value for windows is a combination of glass, frame and spacer certified by the National Fenestration Research Council (NFRC). Replacement windows shall meet the same criteria as the aforementioned.

c). Alternative path for more than 18% is the Performance Path, requiring ERI of 61 or less.

Section N1102.1.6 is amended to added to read:

N1102.1.6 WINDOW TO FLOOR AREA Ratio shall be a maximum of 18%.

(Allowable percentage of window area measured by rough opening sizes. R-value for windows is a combination of glass, frame and spacer certified by the National Fenestration Research Council (NFRC). Replacement windows shall meet the same criteria as the aforementioned.)

Alternative path for more than 18% is the Performance Path, requiring ERI of 61 or less.

Section N1103.5.1 is amended to read as follows:

N1103.5.1 Heated water circulation and temperature maintenance systems (When installed).

When these systems are installed, heated water circulation systems shall be in accordance with Section N1103.5.1.1. Heat trace temperature maintenance systems shall be in accordance with Section N1103.5.1.2. Automatic controls, temperature sensors and pumps shall be accessible. Manual controls shall be readily accessible.

Section N1103.5.2 is amended to read as follows: When installed, demand recirculation water systems shall have controls that comply with both of the following:

1. The controls shall start the pump upon receiving a signal from the action of a user of a fixture or appliance, sensing the presence of a user of a fixture or sensing the flow of hot or tempered water to a fixture fitting or appliance.
2. The controls shall limit the temperature of the water entering the cold-water piping to not greater than 104°F (40°C).

Section N1103.5.4 is amended to read as follows: When installed, drain water heat recovery units shall comply with CSA B55.2. Drain water heat recovery units shall be tested in accordance with CSA B55.1. Potable water-side pressure loss of drain water heat recovery units shall be less than 3 psi (20.7 kPa) for individual units connected to one or two showers. Potable water-side pressure loss of drain water heat recovery units shall be less than 2 psi (13.8 kPa) for individual units connected to three or more showers.

Section N1103.9 is amended to read:

Snow Melt Systems are hereby prohibited.

Section N1106.3 is amended to read:

The Energy Rating Index (ERI) shall be determined in accordance with RESNET/ICC 301.

Energy used to recharge or refuel a vehicle used for transportation on roads that are not on the building site shall not be included in the ERI reference design or the rated design.

Section N1106.4 is amended to add Section N1106.4.1 which shall read:

N1106.4.1 4. Insulation minimum backstop requirements:

If the Performance Path is followed, then the minimum allowable "Insulation and fenestration requirements by component" must be in accordance with Table R402.1.2 and all footnotes. Table 402.1.4 also applies.

APPENDIX A – Town of Ophir REMP Worksheet – Adopt worksheet as referenced in N1101.15.2 and as attached below:

Ophir - Propane Energy Use Worksheet					
Instructions:					
Fill in all grey cells that are relevant to your project. Submit REMP Calculation with your signature and check made out to "Town of Ophir" for the Energy Mitigation Fee, if required. Complex systems using heat recovery strategies may apply for alternative calculation methods.					
Project Information:		Equipment Information:			
Name:	Ophir Project	Building Space Heat type:	Select Type Propane	Efficiency 95%	
Address:	Project Address	Domestic Hot Water Type:	Propane	93%	
Town/County:	Town of Ophir				
Annual Propane Energy Use					
Type of use	Annual Energy Use		Efficiency	kBtu/yr	Lbs CO ₂ /yr
Building heat	0	kBtu/yr	95%	0	0
DHW	0	Therms/yr	93%	0	0
Cooking stove, clothes dryer, other appliances total:	0	kWh/yr	N/A	0	0
Total Carbon Usage					0
Renewable Energy Production Credit (on-site)					
Type of use	Installed capacity		kBtu/yr	Lbs CO ₂ /yr	
Solar Electric (PV) (kW)	0.0		0	0	
Solar Hot Water (sq ft of panel or tubes)	0.0		0	0	
Wind Generation (on-site) (kW)	0.0		0	0	
Total Carbon Reduction					0
Off-Site Renewable Energy - Not Currently Available					
Type of use	Installed capacity		kBtu/yr	Lbs CO ₂ /yr	
Solar Electric (PV) (kW)	0.0		0	0	
Total Carbon Reduction					0
Annual Fossil Fuel Energy Use					
Net Carbon Emissions	0		Lbs CO ₂ /yr		
Carbon Mitigation Rate	\$1.39		\$/Lbs CO ₂		
Mitigation Percentage Required	100%				
Carbon Mitigation Fee	\$0				
Innovatively Engineered Energy Efficient Systems					
Alternate Engineered Design kBtu/yr	0		kBtu/yr		
Engineered Design Carbon Emissions	0		Lbs CO ₂ /yr		
Reduction in Carbon Emissions	0		Lbs CO ₂ /yr		
Carbon Mitigation Rate	\$1.39		\$/Lbs CO ₂		
Mitigation Percentage Required	100%				
Carbon Mitigation Fee Reduction	\$0				
Total Carbon Mitigation Fee					\$0
Name:	Ophir Project				
Signature:	Date:				

Item #4d

18	NORWOOD	Update Master Plan for Town of Norwood	2023/2024		All Hazards
19	NORWOOD	Update EOP	2023 and ongoing	Goal 1 and 2	All Hazards
20	NORWOOD FPD	Drought Education and Awareness	Ongoing	1A, 2A	Drought
21	NORWOOD FPD	Wildfire WUI Code adoption	Ongoing	1A, 2A	Wildfire
22	NORWOOD FPD	Residential wildfire mitigation projects	Ongoing	1A, 2A, 3A	Wildfire
23	NORWOOD FPD	Landslide Mitigation	Ongoing	1A, 2A, 3A	Life safety, Transportation
24	NORWOOD FPD	Increase Water Supply	2030	Goal 1A, 1D; 2B; 3A&C	Wildfire, CI Failure
25	NORWOOD FPD	Remodel Norwood Fire Station to increase personnel space	2025	1A, 2A	Wildfire
26	NORWOOD FPD	Acquire new engine	2023	1A, 2A	Wildfire
27	NORWOOD FPD	Purchase additional wildland fire equipment	2025	1A, 2A	Wildfire
28	NORWOOD FPD	Increase fire and EMS staffing	2024	1A	All Hazards
29	OPHIR	Install back up power (either generator or battery) at Town Hall and Water Plant	2025	1A	Power Outage/Extreme Cold
30	OPHIR	Increase water storage for firefighting purposes	2027	1A	Structure and Wild Fires
31	OPHIR	Build solar panel array	Ongoing	1A	Power outages
32	OPHIR	Replace aging road maintenance equipment	2027	1A	Extreme weather
33	OPHIR	Update building codes	2025	1A	All Hazards
34	OPHIR	Install street signs and update maps	Ongoing	1A,B,C,E;2C	All Hazards
35	OPHIR	Bury Waterfall Canyon water supply line	Ongoing	1A,E	All Hazards
36	OPHIR	Finalize designation of maintenance barn as Red Cross shelter	Ongoing	1A, 3A	Severe Weather, multiple hazards
37	OPHIR	Develop Avalanche Response plan	New	1A	Avalanche
38	OPHIR	Refine public notification and avalanche SOP	New	1A	Avalanche

39	OPHIR	Improve existing signage warning residents of the avalanche danger	Ongoing	1A	Avalanche
40	SMC	Create MOU for equipment assistance	New	2A, 3A	Avalanche
41	SMC	Refine avalanche risk reduction SOP	New	2A, 3A	Avalanche
42	SMC	Refine avalanche control program	Ongoing	2A, 3A	Avalanche
43	SMC	Employee training on avalanche risk and control	Ongoing	2A, 3A	Avalanche
44	SMC	Work with CDPHE and other health resources to develop or improve continuity of operations plans for clinics	Ongoing	1 A,B;2A,B	All Hazards
45	SMC	Obtain good digital data for mapping critical infrastructure in the County	2 years	1A,B,C,D,E;2A,C;3B	All Hazards
46	SMC	Identify Special Needs Population	Ongoing outreach	1 A,B	All Hazards
47	SMC	Develop Satellite and Auxiliary Communication (HAMM) Alternate Communication Capability	Ongoing	1A	All Hazards
48	SMC	Develop WUI Building Code	2024	1A, 2A	Wildfire
49	SMC	Down Valley Master Plan	2023-24	1AB, 2AC	All Hazards
50	SMC	Natural Resources Land Use Code Amendments	2023	1AB, 2AC	All Hazards
51	SMC	Landslide Mapping	5 years	1A,B,E;2C;3A,B	Erosion, Landslide
52	SMC	Obtain GIS satellite imagery for wildfire risk analysis	10 years	1A,B,C	Wildfire

OPHIR

The Town of Ophir is a small, quiet, residential community that sits at about 9,800 feet above sea level in Colorado's San Juan Mountains. Ophir has less than two hundred residents and there is no commercial activity, including short-term rentals, within town limits. Summers are short and winters are long with high winds and abundant snowfall. Ophir is accessed by a dead-end county road, which is sometimes closed during winter months due to avalanches. Spring Gulch, an avalanche slide path, divides the town into east and west Ophir. Ophir's population was estimated to be 197 by 2020 Census information. Most Ophir residents commute to the towns of Telluride and Mountain Village to work and purchase commodities.



Figure 5: Town of Ophir Boundary

AVALANCHE

Hazard Description

An avalanche is a rapid flow of snow down a sloping surface. Avalanche hazards occur mostly in mountainous regions of Colorado above 8,000 feet. The vast majority of avalanches occur during and shortly after winter storms. Avalanches occur when loading of new snow increases stress at a rate faster than strength develops, and the slope fails. While most avalanches are caused by the weight of accumulated snow, other triggers can be caused by human activities (e.g., skiing, , snowshoeing , and snowmobiling).

After initiation, avalanches usually accelerate rapidly and grow in mass and volume as they entrain more snow. If the avalanche moves fast enough some of the snow may mix with the air forming a powder snow avalanche, which is a type of gravity current. There are four ingredients of an avalanche: a steep slope, a snow cover, a weak layer in the snow cover and a trigger. About 90% of all avalanches start on slopes of 30-45 degrees; about 98% of all avalanches occur on slopes of 25-50 degrees.

Avalanches release most often on slopes above timberline that face away from prevailing winds (leeward slopes collect snow blowing from the windward sides of ridges.) Avalanches can run however, on small slopes well below timberline, such as gullies, road cuts, and small openings in the trees. Very dense trees can anchor the snow to steep slopes and prevent avalanches from starting; however, avalanches can release and travel through a moderately dense forest.

Generally, the avalanche season extends from late fall to early spring. The most avalanche-prone months are February, March, and January (in order). Avalanches caused by thaw occur most often in April (*Source: Colorado Avalanche Information Center*).



Figure 12: An avalanche runs over Ingram Falls on Jan. 24, 2019

Factors contributing to avalanche include temperature patterns, precipitation patterns, wind patterns, steep slopes and triggers (i.e. human body weight, snowmobile). The avalanche danger increases with major snowstorms and periods of thaw. The State of Colorado has the most deaths due to avalanches in the United States. Due to the steep mountainous terrain, high elevations, and winter snows in San Miguel County there are avalanches every winter. The San Juan Mountains that form the dramatic scenery in eastern San Miguel County are regarded as one of the most avalanche prone regions in Colorado and ranks high among avalanche prone areas on earth (Source: *Colorado Avalanche Disasters, Jenkins*). San Miguel County is ranked ninth within the top ten counties for avalanche fatalities in Colorado with 12 fatalities between 1950 and 2021.

Past Occurrences

There is much historical evidence that avalanches have consistently wreaked havoc in the mountainous areas of San Miguel County. Specifically, historic mining activity and winter living in the Telluride and Ophir areas were often disrupted by avalanche events. On February 28, 1902 an avalanche struck the Liberty Bell Mine above Telluride, killing 16-19 miners and destroying boarding and bunkhouses (Source: *Colorado Avalanche Disasters, Jenkins*).

Historical data indicates that the County has had 12 fatalities due to avalanches between 1950 and 2021. Most of the fatalities were caused by triggers from backcountry travelers and recreationists (Source: *Colorado Avalanche Information Center*). The 1986-87 winters were a particularly deadly season. According to research of historical data, Ophir has had at least six avalanches (1860, 1885, 1918, 1951, 1958, and 1959) in the past 157 years that have either reached or closely approached the town.

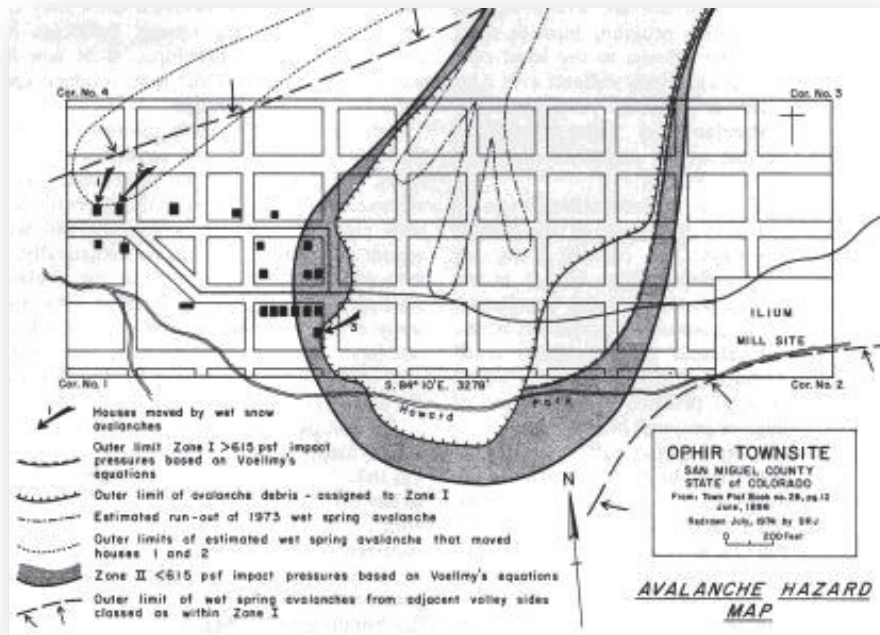


Figure 13: Ophir Avalanche Hazard Map (Source: Arthur I. Mears)

During the spring of 2004 a snowstorm loaded the avalanche prone slopes above and around the Town of Ophir. During the course of a single day more avalanches ran than had been seen by locals in more than a decade. The avalanches snapped a power line tower, engulfed a horse barn, closed the three-mile access road to town and trapped residents for three days. Highway 145 over Lizard Head Pass was closed for two days. A company that does avalanche hazard consultation used a helicopter and hand-tossed bombs to trigger avalanches on remaining unsafe areas so that County road crews could begin digging out. These spectacular avalanches were captured in the 2004 Film "[Out of Ophirica](#)" by Judah Kuper, who witnessed the events as a stranded Ophir local.



Figure 15: Photos from the 2008 Ophir avalanches (courtesy of SMC Road and Bridge)

In March of 2019, naturally occurring avalanches closed the road to Ophir on two separate occasions. The closures each lasted for several days while the county road crews performed additional avalanche mitigation and worked to clear the debris.

Geographic Location

The Town of Ophir and its access road are subject to the threat of avalanche activity seasonally. According to County GIS, the Town of Ophir has 95 structures with a total actual value of over \$81 Million and a population of 197 persons (per the 2020 Census). Currently about 80% of the

population lives there year-round. State Highway 145 from the Ophir turn-off to the edge of the County line on Lizard Head Pass are also impacted seasonally by avalanche activity or the threat of avalanche occurrence. As State Highway 145 continues into neighboring Dolores County, avalanche danger continues. Avalanches also pose a serious threat to backcountry recreationists, but developed areas and transportation corridors within avalanche run-out zones are at risk as well.

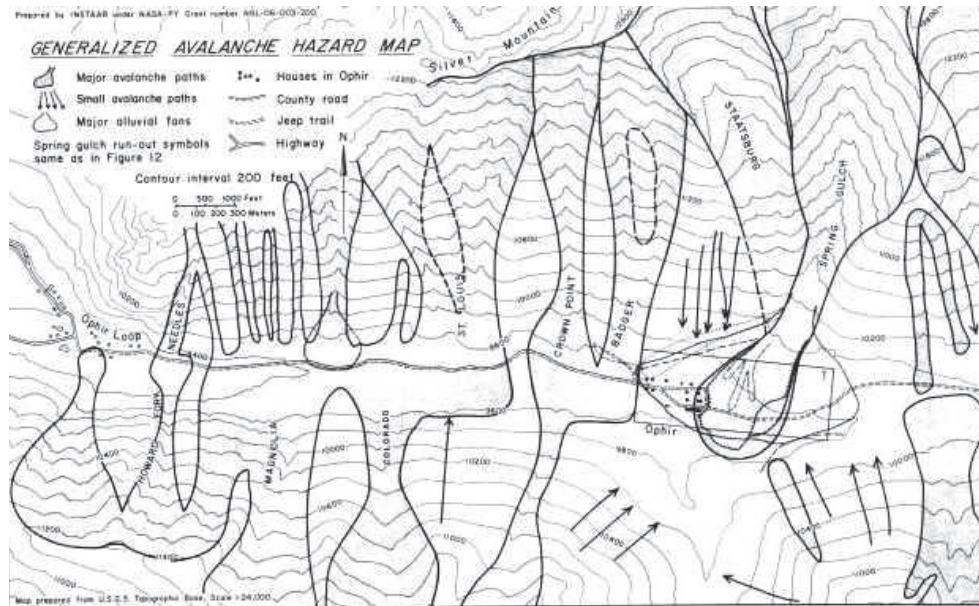


Figure 16: Ophir Slide Path Map (Source: Arthur I. Mears)

Frequency/Likelihood of Occurrence

Due to the high frequency of past occurrences, the areas specified above in San Miguel County are **highly likely** to experience avalanche activity in the future. Studies of major avalanches in the Ophir area indicate an average recurrence interval of approximately 20 years or a 5% chance any given year.

Critical Facilities and Infrastructure

The Ophir water treatment infrastructure, communications infrastructure, and government buildings are all at risk of disruption by avalanche. There is also a power line that runs through the valley that is at risk and at least one component is located at the base of an avalanche chute. In addition to Ophir, nearby Highway 145 has slides that have closed Lizard Head Pass and impacted power lines.

Evacuation Considerations

The Town of Ophir is accessed by Ophir Road, and avalanches can and do close the road on occasion, effectively eliminating all ingress and egress until the debris can be cleared. This creates major problems for utility companies who may need to access their equipment, as well as life safety concerns for residents.

Vulnerability

The eastern portion of the County has a significantly higher vulnerability to avalanches due to the geographic layout of the County. Specifically, **Ophir has a high vulnerability** to avalanches because quite often avalanches cut off the only access to and from the town and come exceptionally close to homes and other infrastructure. Mitigation efforts have been made in this area to reduce impacts of avalanche events, but the vulnerability in that specific area remains high when the potential for life loss, property damage and historical frequency are considered. The remainder of the **County has a low vulnerability** to avalanche events due to the lack of historical events and geographic landscape.

Severity of Impact

Up until November of 2017, the Telluride region's primary source of power was a 5-mile radial 69 KV line operated by Tri-State Generation and Transmission, Inc. from the Sunshine substation to the Telluride substation. This line was vulnerable to avalanche, rockfall, and wildfires. To provide a redundant source of power and to reduce restoration times, the Telluride/Mountain Village Reliability Project included the installation of an underground circuit, allowing the Sunshine substation to back up the load of the Telluride substation and vice versa.

In 2003, avalanche impacts on this line did result in rolling brownouts in the Telluride region for three days. Brownouts are controlled power reductions in which the utility company decreases the voltage on the power lines, so customers receive weaker electric current. Brownouts can be used if total power demand exceeds the maximum available supply. The probability of this condition recurring has been greatly reduced due to San Miguel Power upgrades and redundant feeds on the local grid.

A road closed due to avalanche activity can result in transportation disruptions due to the limited number of roads and access into and out of County and area communities. During the winter, highways are the only viable evacuation routes and an avalanche would hinder an evacuation out of Ophir and emergency ingress into Ophir during an incident. Also, stranded travelers or commuters are often faced with a lack of lodging availability or affordability. However, due to the power infrastructure upgrades and redundancy projects, the overall severity of impact is considered **limited**. Disruption of essential facilities and services can and does still occur, but are expected to last for less than 24 hours at a time.



Figure 17: Ophir Valley Slide Map (San Miguel County GIS)

TOWN OF OPHIR CAPABILITIES

AVALANCHE CONTROL

Ophir and San Miguel County are working on an intergovernmental agreement on avalanche control. Gates prevent access to and from town during high hazard periods. Many of the residents of this small community are highly aware of the risks associated with living in the Ophir valley, and are willing to adjust their schedules around Mother Nature as necessary.

WATER STORAGE

Ophir has three water storage tanks totaling 90,000 gallons. One 20,000 gallon tank is located in west Ophir and two 35,000 gallon tanks are located in east Ophir.

WATER TREATMENT

The Town of Ophir began the process of upgrading the water treatment and storage in 2010. The project was financed through a grant from the Colorado Department of Local Affairs and an interest-free loan of \$500,000 as part of the American Recovery and Reinvestment Act.

Previously, the town had relied on an archaic system that took water from Warner Springs. Now, Ophir's primary water source is Waterfall Canyon. This is a surface water intake in Waterfall Canyon, runs through aging pipes that are either above ground or buried relatively shallow. On the north side of the Town of Ophir, they have a secondary groundwater source from Warner Spring (this feature is reaching its expected lifespan).

MASTER PLAN

The Ophir Master Plan was updated in 2020 and is a policy document that establishes a community vision for future development and growth management in the Ophir region. The Plan is comprised of this text and graphics in this text, Future Land Use maps and the Major Streets Plan map. Numerous public meetings, opinion surveys, and studies were conducted as part of creating this Plan. The Plan is intended to promote better decision making by providing a comprehensive view of planning issues related to future development and growth management. The plan may be accessed at: <https://www.sanmiguelcountyco.gov/253/Community-Plans>.

TOWN OF OPHIR LAND USE CODES

The Town of Ophir Land Use Code guides development within town of Ophir in the interest of protecting their local resource, the natural environment, while at the same time allowing for the use of the land. The plan may be accessed at: <https://www.sanmiguelcountyco.gov/253/Community-Plans>.

PLANNING AND REGULATORY CAPABILITIES

Planning and Regulatory	Yes/No
Comprehensive, Master, or General Plan	No
Zoning Ordinance	Yes
Growth Management Ordinance	No
Floodplain Management Plan	Yes
Hazard-Specific Ordinance or Plan (Floodplain, Steep Slope, Wildfire)	Yes
Building Codes	Yes
Building Codes Year	2015
Erosion/Sediment Control Program	No
Stormwater Program, Plan, or Ordinance	No
Site Plan Review Requirements	Yes
Capital Improvements Program (CIP) or Plan	No
Economic Development Plan	No
Community Wildfire Protection Plan (CWPP)	No
Flood Insurance Study	No
Elevation Certificates	No
NFIP	No
Community Rating System (CRS)	No
Building Code Effectiveness Grading Schedule (BCEGS) Rating (1 – 10)	No
Administrative and Technical	Yes/No
Community Planning:	
- Planner/Engineer (Land Development)	No
- Engineer/Professional (Construction)	No
- Planner/Engineer/Scientist (Natural Hazards)	No
- Transportation Planner	No
- Resiliency Planner	No
GIS Specialist and Capability	No
Full-Time Building Official	No
Floodplain Administrator	No
Emergency Manager	No
Grant Manager, Writer, or Specialist	No
Warning Systems/Services:	
- General	No
- Flood	No
- Wildfire	No
- Tornado	No
- Geological Hazards	No
Financial	Yes/No
Community Development Block Grants	No
Capital Improvement Project Funding	No
Levy for Specific Purposes with Voter Approval	No
Utilities Fees	No
System Development Fee	No
General Obligation Bonds to Incur Debt	No
Special Tax Bonds to Incur Debt	No
Stormwater Service Fees	No
Withheld Spending in Hazard-Prone Areas	No
Education & Outreach	Yes/No
Local Citizen Groups That Communicate Hazard Risks	No
Firewise	No
StormReady	No
Other	