

**RESOLUTION
OF THE
WOODY CREEK METROPOLITAN DISTRICT**

Regarding Penalties for Violations related to Snow Removal

WHEREAS, Woody Creek Metropolitan District (“District”) is a special district in Pitkin County, Colorado governed by its Board of Directors (“Board”) and operating pursuant to its service plan and Article 1 of Title 32, Colorado Revised Statutes, known as the “Special District Act”; and

WHEREAS, the Board from time-to-time fixes, increases, or decreases fees, rates, tolls, penalties or charges for services, programs or facilities pursuant to § 32-1-1001(1)(j)(I), C.R.S.; and

WHEREAS, the District performs snow removal services within its boundaries and the the Board has determined that placement of snow within roadways by private individuals after plowing services have been performed creates hazardous conditions for pedestrians and increases the cost to perform snow removal services for the community; and

WHEREAS, to ensure the health, safety, and welfare of the District’s residents and the cost-effective performance of snow removal services, the Board deems it necessary to adopt and/or modify the District’s snow removal regulations and the penalties for violations of such regulation.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF WOODY CREEK METROPOLITAN DISTRICT, PITKIN COUNTY, COLORADO, THAT:

1. Snow Removal Restriction. No person shall be authorized to deposit snow from his or her property into the roadways for at least 48 hours after the District has performed snow removal services within the roadways. Snow may be deposited in the roadways immediately prior to the District performing snow removal services. The preferred removal process is to relocate snow to the mobile home skirting in order to provide insulation underneath the living area and to insulate water lines.

2. Adoption of Fines and Penalties. The District hereby adopts the following penalties for violations of the District’s snow removal restriction:

First Offense: \$25 Penalty
Second Offense: \$50 Penalty

3. Additional Costs. Any person who creates an accumulation of snow in violation of this regulation shall be responsible for all actual costs incurred by the District when the District deems it necessary to hire its snow removal contractor to return and remove the snow accumulation from the roadways.

4. Savings Clause. Any other fees, rates, tolls, penalties, or charges of the District not amended herein shall remain in full force and effect until amended or rescinded by the District’s

Board of Directors.

5. Fees Constitute Liens. Pursuant to § 32-1-1001(1)(j)(I), C.R.S., until paid, all fees, rates, tolls, penalties, and charges of the District shall constitute a perpetual lien on and against the property subject to the violation.

6. Rational Basis for Increase. The Board finds, after analyzing and discussing the snow removal needs and activities of the District, that the regulations and penalties described herein bear a rational relationship to the legitimate government purpose of providing safe and efficient snow removal services to the customers, inhabitants, and property owners of the District.

7. Legislative Action. This Resolution is a legislative action of the District and may be modified only by formal action of the Board.

APPROVED AND ADOPTED THIS 7TH DAY OF NOVEMBER, 2022.

WOODY CREEK METROPOLITAN DISTRICT

DON McALISTER

By: DRUP
President

ATTEST:

By: Patricia Hamilton
[Patricia Hamilton \(Jan 17, 2023 10:28 MST\)](#)
Secretary or Assistant Secretary