



**Town of Frederick
Board of Trustees Agenda**

Frederick Town Hall
Board Chambers
401 Locust Street
Tuesday, February 15, 2022

5:30 P.M.

Work Session – CANCELLED

The Work Session scheduled for Tuesday, February 15, 2022 has been cancelled.

Please call Town Clerk Meghan Martinez at 720-382-5500 if you have questions about the cancellation.

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Town of Frederick Board of Trustees Agenda

Frederick Town Hall
Board Chambers
401 Locust Street
Tuesday, February 15, 2022

5:30 P.M. Work Session

Topic: Board of Trustee Meeting - Work Session
Time: Feb 15, 2022 05:30 PM Mountain Time (US and Canada)

Join Zoom Meeting
<https://zoom.us/j/91319032604>

Meeting ID: 913 1903 2604
One tap mobile
+13462487799,,91319032604# US (Houston)
+16699006833,,91319032604# US (San Jose)

Dial by your location
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+1 929 436 2866 US (New York)
+1 301 715 8592 US (Washington DC)
Meeting ID: 913 1903 2604
Find your local number: <https://zoom.us/u/abVX4Afh>

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Town of Frederick Board of Trustees Agenda

Frederick Town Hall
Board Chambers
401 Locust Street
Tuesday, February 15, 2022

5:30 P.M. Work Session

1. 4th Quarter Update: 2021 Strategic Plan, Financial Report and Capital Projects
2. Fence Permits
3. Adjournment



TOWN OF FREDERICK BOARD OF TRUSTEES ACTION MEMORANDUM

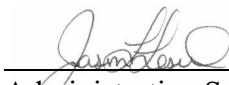
Tracie Crites, Mayor

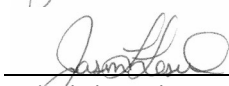
Dan March, Mayor Pro Tem
Mark Lamach, Trustee
Adam Mahan, Trustee

Rusty O'Neal, Trustee
Kevin Brown, Trustee
Windi Padia, Trustee

Fourth Quarter Update: 2021 Strategic Plan, Financial Report and Capital Projects

Agenda Date: Town Board Meeting – February 15, 2022

Finance Review: 
Administrative Services Officer

Submitted by: 
Administrative Services Officer

Approved for Presentation: 
Town Manager

☐ Quasi-Judicial

☐ Legislative

☒ Administrative

Summary Statement / Discussion Detail:

On a quarterly basis, Town Staff will present an update on the Strategic Goals, Financial Status, and progress on current Capital Projects. This discussion will provide the Mayor and Board of Trustees vital up-to-date information regarding these key focus areas. Strategic plan information includes both items completed or underway as well as items planned or upcoming.

2021 Strategic Plan Update – Q4

Effective, Efficient & Strategic Government Operations

- Develop a strategy for our current land inventory.
 - o Internal inventory completed
 - o Memo drafted and ready to send to Board in Q1 2022
- Actively pursue Home Rule Status.
 - o Working with Summit Strategies to solidify scope of services – In progress
 - o Working on identifying a communication strategy for 2022 – In process
 - o Late Q2 2022 work session scheduled to discuss timeline with new Board

Community and Economic Vitality

- Develop a design for Frederick Recreation Area as a regional park and destination for all mobility's.
 - o Funding included in 2022 budget
 - o Parks Director recruitment completed by 12/31/21
 - o Q1 2022 Onboard new Parks Director

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- Develop and implement a retail attraction strategy.
 - o Presented retail analysis to the Board in November 2021
 - o Q1 2022 Begin Strategy Implementation
 - Begin work to develop marketing strategy for I-25/Hwy 52
 - Actively pursue traditional or alternative grocery opportunity
- Explore revitalization strategies for 5th Street, including a potential cultural center with programming for youth.
 - o Project kickoff anticipated at the completion of the facilities master plan
 - o Q1 2022 - Grant Administrator position recruitment to begin
 - o Q1 2022 - Actively pursue options for a potential cultural/youth center
- Complete an update of zoning code
 - o Land use attorney completed developing recommendations
 - o Best management practices analysis completed by 12/31/21
 - o Completed community listening sessions by 12/31/21
 - o Q1 2022 - Present update to Board
 - o Q1 2022 – Submit first round of code updates for approval by the Board
 - o Q1-Q2 2022 – Begin work on next iteration of code updates
- Complete an update of the Comprehensive Plan
 - o Funding request included in adopted 2022 Budget (12-15-month process)
 - o Q2 2022 – Commence solicitation of proposals for consultant (approx. 2-3 month process)

Dynamic, Inclusive & Connected Community

- Complete a community satisfaction survey and establish a regular schedule for surveying the community.
 - o Funding approved in 2022 Budget
 - o Q1 2022 – present timeline and overview to Board
 - o Q1-Q2 2022 – commence survey
 - o Q2-Q3 2022 – present survey results to the board for review
- Continue offering accessible public engagement, including virtual public comment for Board meetings.
 - o Virtual public comments solution complete
 - o Potential unfunded position for IT specialist/AV technician to be revisited during 2022

Strategic, Reliable & Sustainable Infrastructure

- Complete a facilities master plan to account for the current needs and looking out 50 years for the future growth needs of the Town.
 - o Completed future staff/space projections
 - o Present update to Board in Q1 2022
 - o Q1 2022 employee/Board survey to be completed
 - o Removed Golf Course from facilities master plan scope to reduce duplicate efforts
 - o Exploring opportunities for growth in sub-area plan vicinity
- Develop a sustainable strategy for park maintenance and expansion, using the Parks, Open Space, and Trails Master Plan.
 - o Parks Director recruitment completed by 12/31/21
 - o Q1 2022 – onboard new Parks Director
- Complete a golf course master plan.
 - o Contractor hired for maintenance building
 - o Anticipate starting construction Q3-Q4 2022 – On track
 - o Working on long-range revenue forecast to be completed complete late 2022/early 2023 – On track
- Complete a water master plan that includes the pursuit of water shares for use in Economic Development.
 - o Phase I (10yr. plan) complete
 - o Funding request included in Year 2022 Budget
 - o Phase II (50yr. plan) complete

- Water acquisition to start in Q1 2022

Safe & Secure

- Continued implementation of 2A
 - Completed remodeling project:
 - Completed training room conversion to create new office for Chief and a Commander
 - Completed conversion of Chief's old office to new office space for detectives

Fiscally Responsible Governance

- Bella Rosa moving toward financial self-sufficiency
 - Golf fee study completed
 - Cost of Goods Sold (COGS) analysis and reporting completed and shifted to monthly reporting in 2022
 - Complete marketing plan by Spring 2022 – on track
 - Event planning to be completed Winter 2021-2022 – on track

2021 Financial Update – Q4 (Unaudited)

General Fund

- Revenues are outpacing budgeted expectations
 - Surplus of \$5,423,379 through end of fourth quarter
 - Sales Taxes and Building Permits are key revenues exceeding budget by 56% and 18%
 - Property Taxes at 99% collection
 - Strong recurring revenues trending to continue into 2022
- Expenditures are below budgeted amounts
 - Staff continue to identify cost sharing/saving opportunities and ended year below budget

General Fund				
	2020 Actual	2021 Budget	2021 Actual	Variance
Revenues	\$9,550,350	\$10,556,863	\$14,785,210	\$4,228,347
Expenditures	\$7,852,214	\$10,556,863	\$9,361,831	(\$1,195,032)
Net Income (Loss)	\$1,698,136		\$5,423,379	\$5,423,379

Art in Public Places Fund

- Revenues and Expenditures are aligned with budgeted expectations

Art in Public Places Fund				
	2020 Actual	2021 Budget	2021 Actual	Variance
Revenues	\$24,549	\$40,000	\$70,000	\$30,000
Expenditures	\$95,553	\$40,000	\$51,762	\$11,762
Net Income (Loss)	(\$71,004)		\$18,238	\$18,238

Events Fund

- Revenue Transfer is not completed until end of year
- Expenditures are below budget for specific events except for Tree Purchase that was unbudgeted in 2022

Events Fund				
	2020 Actual	Budget	2021 Actual	Variance
Revenues	\$109,188	\$186,000	\$160,880	(\$25,120)
Expenditures	\$83,292	\$186,000	\$228,085	\$42,085
Net Income (Loss)	\$25,897		(\$67,205)	(\$67,205)

Street and Alley Fund

- Recurring Revenues (Specific Ownership Taxes, Road & Bridge Taxes, and Highway Users Taxes) are exceeded budget projections slightly by end of year
- One-time Revenue (Transportation Impact Fees) are exceeding budget by 60% - related to building permit issuance
- Expenditures are aligned with budgeted amounts – Transfer to Capital Project occurred in first quarter and will balance to positive Net Income by year-end after final transfers are adjusted

Street and Alley Fund				
	2020 Actual	Budget	2021 Actual	Variance
Revenues	\$4,740,822	\$4,427,068	\$4,980,533	\$553,465
Expenditures	\$3,288,258	\$4,427,068	\$5,135,632	\$708,564
Net Income (Loss)	\$1,452,563		(\$155,099)	(\$155,099)

Conservation Trust Fund

- Revenues and Expenditures are aligned with budgeted expectations
 - o Revenue outpaced budget projection by 28%
 - o All Expenditures have occurred via transfer to Capital Projects Fund

Conservation Trust Fund				
	2020 Actual	Budget	2021 Actual	Variance
Revenues	\$79,517	\$66,050	\$84,672	\$18,622
Expenditures	\$88,168	\$66,050	\$91,006	\$24,956
Net Income (Loss)	(\$8,651)		(\$6,334)	(\$6,334)

Public Safety Impact Fee Fund

- Revenues exceeding budgeted figures (1st year of collection)
- Expenditures are aligned with budgeted expectations
 - o All Expenditures have occurred via transfer to Capital Projects Fund in First Quarter and will balance to positive Net Income by year-end after final transfers are adjusted

Public Safety Fund				
	2020 Actual	Budget	2021 Actual	Variance
Revenues	\$220,894	\$338,403	\$255,469	(\$82,934)
Expenditures	\$54,074	\$338,403	\$344,196	\$5,793
Net Income (Loss)	\$166,820		(\$88,727)	(\$88,727)

Water Fund

- Recurring Revenues (Potable/Non-Potable Water Sales) are aligned to budget projections
- One-time Revenues (Impact Fees) are exceeding budget by 191% - related to building permits
- Expenditures are aligned with budgeted amounts

Water Fund				
	2020 Actual	Budget	2021 Actual	Variance
Revenues	\$11,627,955	\$10,478,284	\$15,871,812	\$5,393,528
Expenditures	\$2,986,616	\$10,478,284	\$9,849,080	(\$629,204)
Net Income (Loss)	\$8,641,339		\$6,022,732	\$6,022,732

Storm Water Fund

- Recurring Revenues (Customer Storm Water Drainage Fees) are aligned to budget projections
- One-time Revenue (Drainage Impact Fees) are exceeding budget by 40% through fourth quarter
- Expenditures are aligned with budgeted amounts

Storm Water Fund				
	2020 Actual	Budget	2021 Actual	Variance
Revenues	\$1,225,321	\$1,137,566	\$1,402,723	\$265,157
Expenditures	\$668,548	\$1,137,566	\$1,150,983	\$13,417
Net Income (Loss)	\$556,773		\$251,740	\$251,740

Golf Fund

- Recurring Revenues (Golf Course Fees, Annual Passes, and Merchandise Sales) are meeting budget projections through fourth quarter – Revenue transfer from General Fund to occur as pre-audit preparation
- Restaurant Revenue is below budget by 21% through year-end – recovering from COVID-19
- Expenditures are exceeding budgeted amounts
 - o Transfer to Capital Project occurred in first quarter (\$1,137,640) – Golf Master Plan
 - o HVAC, Plumbing, Greens unexpected expenses not in adopted budget

Golf Fund				
	2020 Actual	Budget	2021 Actual	Variance
Revenues	\$1,203,146	\$2,147,618	\$717,098	(\$1,430,520)
Expenditures	\$987,596	\$2,147,618	\$2,449,514	\$301,896
Net Income (Loss)	\$215,550		(\$1,732,416)	(\$1,732,416)

Park Improvement Fund

- One-time Revenue (Park Improvement Fee) is exceeding budget by 83% through fourth quarter
- Expenditures are aligned with budgeted amounts - Transfer to Capital Project occurred in first quarter and will balance to positive Net Income by year-end after final transfer adjustments

Park Improvement Fund				
	2020 Actual	Budget	2021 Actual	Variance
Revenues	\$927,776	\$1,679,988	\$835,229	(\$844,759)
Expenditures	\$2,063,166	\$679,988	\$1,730,272	\$1,050,284
Net Income (Loss)	(\$1,135,390)		(\$895,043)	(\$1,895,043)

Open Space Fund

- Recurring Revenue (Sales Taxes) are exceeding budget projections by 66% through Q4
- One-time Revenue (Open Space Improvement Fee) is exceeding budget by 73% through Q4
- Expenditures are aligned with budgeted amounts - Transfer to Capital Project occurred in first quarter and will balance to positive Net Income by year-end after final transfer adjustments.

Open Space Fund				
	2020 Actual	Budget	2021 Actual	Variance
Revenues	\$1,634,253	\$2,705,052	\$1,665,984	(\$1,039,068)
Expenditures	\$1,781,180	\$2,705,052	\$2,580,011	(\$125,041)
Net Income (Loss)	(\$146,927)		(\$914,027)	(\$914,027)

Oil Royalty Fund

- Revenues exceeding budgeted amounts through Q4
- Expenditures are aligned with budgeted expectations & Business Recovery Program initiated Q1

Oil Royalty Fund				
	2020 Actual	Budget	2021 Actual	Variance
Revenues	\$63,275	\$57,000	\$189,557	\$132,557
Expenditures	\$31,357	\$57,000	\$188,393	\$131,393
Net Income (Loss)	\$31,918		\$1,164	\$1,164

Capital Facilities Fund

- Recurring Revenue (Metro District Mill Collection) is exceeding budget projections through Q4
- One-time Revenue (Capital Improvement Fee) is exceeding budget by 62% through Q4
- Expenditures are over budget due to current facility remodel needs but under revenue collected

Capital Facilities Fund				
	2020 Actual	Budget	2021 Actual	Variance
Revenues	\$912,505	\$331,000	\$667,129	\$336,129
Expenditures	\$481,685	\$331,000	\$649,184	\$318,184
Net Income (Loss)	\$430,820		\$17,945	\$17,945

2021 Capital Projects Update – Q4

- Capital Project are in progress and many will be wrapped up by end of year
- Golf Course related projects have been put on hold until the Golf Course master plan is completed in 2022 to maximize the most efficient use of funds
- Projects such as Concrete Alley, Pavement Maintenance, Concrete Improvement will be invoiced during Q4 as projects are completed
- Projects such as Open Space Land Acquisitions are multi-year projects and funding is just secured in 2021 with additional amounts in future years to align with total purchase costs so not reflected in Expenditure totals
- Appropriated expenditures in the fund roll-forward each year as capital projects can cross fiscal years due to timing of project completion

Capital Projects Fund				
	2020 Actual	Budget	2021 Actual	Variance
Revenues	\$0	\$14,030,333	\$14,030,333	\$0
Expenditures	\$0	\$14,030,333	\$3,619,841	(\$10,410,492)
Net Income (Loss)	\$0		\$10,410,492	\$10,410,492



TOWN OF FREDERICK BOARD OF TRUSTEES INFORMATION MEMORANDUM

Tracie Crites, Mayor

Rusty O'Neal, Trustee
Mark Lamach, Trustee
Adam Mahan, Trustee

Dan March, Trustee
Kevin Brown, Trustee
Windi Padia, Trustee

Fence Permit Discussion

Agenda Date: Town Board Work Session February 15, 2022

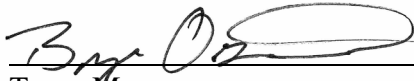
Attachments:

- a. Attachment A – Original Agenda Memo from 11-12-19
- b. Proposed Fence Permit Application
- c. Section 2.16
- d. Proposed Fence Permit Ordinance
- e. Proposed Fence Permit Fee Schedule Resolution
- f. Proposed Fence Permit Fees
- g. Proposed Fence Permit Brochure

Submitted by: Ryan Johnson

Assistant Town Manager

Approved for Presentation:


Town Manager

Strategic Plan Alignment:

- Community and Economic Vitality

Detail of Issue/Request:

In 2019, Staff had been directed to research and prepare a process for requiring fence permits within the Town of Frederick. Staff presented that information to the Board in late 2019. At that time, the decision and direction was to discontinue this process. Recently, a request was made to circle back and hold a discussion regarding a potential fence permit process. Attached, are the documents that were presented in 2019 for discussion at the February 15, 2022 Work Session.

Legal Comments:

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There are no legal considerations at this time.

Financial Considerations:

There is no fiscal component at this time since this is a discussion topic.

Staff Recommendation:

Present this information to the Board for discussion at the February 15, 2022 Work Session.



TOWN OF FREDERICK BOARD OF TRUSTEES ACTION MEMORANDUM

Tony Carey, Mayor

Laura Brown, Mayor Pro Tem
Rocky Figurilli, Trustee
Salvatore "Sam" DeSantis, Trustee
Trustee

Tracie Crites, Trustee
Rusty O'Neal, Trustee
Dan March,

Request to Consider Implementation of Fence Permit Process

Agenda Date: Town Board Meeting – November 12, 2019

Attachments:

- a. Fence Permit Application
- b. Section 2.16 Land Use Code (Current)
- c. Fence Permit Informational Brochure
- d. Ordinance 1327
- e. Resolution 19-R-98
- f. Exhibit A – Fence Permit Valuation Fee

Finance Review:

Finance Director

Submitted by:

Michael Theisen
Chief Building Official

Approved for Presentation:

Kirstyn Pananovich
Acting Town Manager

☐ Quasi-Judicial

☐ Legislative

☒ Administrative

Summary Statement:

This is a request to adopt an ordinance to revise the Frederick Municipal Code to implement a fence permit process for the Town of Frederick.

Detail of Issue/Request:

At the May 14, 2019 meeting, the Board of Trustees directed staff to research the option of implementing a fence permitting process. On June 11, 2019, staff presented information on a fence permitting process, including potential benefits, neighboring locality procedures and the inspection process. As a result, the Board directed staff to prepare an action item for consideration by the Board to

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implement a fence permit process. At the September 24, 2019 Town Board meeting staff presented an action item for a proposed fence permit process. After discussion, the Board requested that the item be tabled until November 12, 2019, to allow staff additional time to draft an ordinance and provide additional information on the permitting process.

Staff has drafted an ordinance that requires building permits for all fences and the enclosed brochure includes general information on material and height requirements as defined in section 2.16 of the Land Use Code. In addition, the attached resolution updates the Town's Fee Schedule to include fees for fence permits. Once the permit process is established, information on the process and costs will be made available on the Town's website and promoted in partnership with the Town's Communications Division.

The Municipal Code does not include material and design requirements for fencing. Fence design standards are included under Section 2.16, Fences and Walls in the Town of Frederick Land Use Code, a copy of which is attached. Some of the highlights of this section include materials, height and maintenance requirements, which are described in brief in the informational brochure, which will be included in the new resident packet, as well as to those seeking to obtain a fence permit within Frederick.

Modification of the current fence and wall criteria in the Land Use Code is under review at this time. Further direction from the Board is needed and an ordinance will need to be prepared for a future meeting to update the appropriate sections of the Land Use Code.

Legal/Political Considerations:

The attached ordinance and resolution was prepared by the Town Attorney, with input from the Chief Building Official and Town staff.

Alternatives/Options:

The Town has the option of not adopting a new fence permit process and continuing with the current policy of not require a permit to install fences. Section 2.16(g) Maintenance gives the Town Building Inspector or Community Services Officer the authority to order the removal or repair of dilapidated, unsightly or dangerous fences, walls or retaining walls.

Financial Considerations:

This proposed process will set a fee of \$50 for single family residential fences. The fee for all other fences will be based on a valuation using the Building Permit Fees table under Section 18-1-70 in the Town's fee schedule. Review of the fence permit will fall under the Building Division.

Staff Recommendation:

The attached ordinance will create a fence permit process within the Town of Frederick. In addition, the attached resolution will establish a fence permit fee within the Town's Fee Schedule.



Fence Permit Application

Directions:

1. Attach two copies of a plot plan, drawing/sketch or the attached Diagram Example Worksheet of the property to include existing buildings, fences, streets, alleys and proposed fences. Some lots and subdivisions may have specific requirements for type, height and fencing material allowed. Please verify requirements with the Town Land Use Code Section 2.16, available online at frederick.municipal.codes/LUC. The Town does not have responsibility over additional HOA requirements.
2. Attach documents and/or drawings detailing design and construction of the fence to include material, height and installation method.
3. It is the responsibility of the property owner and/or contractor to locate property lines and install fencing accordingly. Improperly placed fencing could result in fencing having to be moved or removed at the property owner's expense.
4. A Fence Permit is not required for temporary fences erected in conjunction with a valid Building Permit or Temporary Use Permit.
5. Call Before You Dig! For utility line locates, dial: 811 or 1-800-922-1987.
6. By signing below, the applicant acknowledges they have read this application and agree to install the fencing according to any or all of the following that apply: Town of Frederick Land Use Code, Subdivision Final Development Plans and/or International Building Codes.

Property

Owner: _____ Phone: _____

Address: _____ Subdivision: _____

Contractor Information (If Applicable) Any contractor doing work in the Town of Frederick is required to obtain a contractor's license before a permit will be issued.

Name: _____ Phone: _____

Address: _____

Contractors License with Town of Frederick: _____ License# _____

Valuation Total: \$ _____ Fence Type (ex: 3-rail, Privacy, etc.): _____

Material: Wood _____ Vinyl _____ Other _____ Height: _____ Length: _____

Owner/Contractor: _____

Signature

Date

Building Department Use: _____

Received By: _____

Fence Permit: \$ _____

Date Received: _____

Use Tax: \$ _____

Permit #: _____

Total: \$ _____

General Process for Fence Permits

STEP 1: Application Submission and Permit Fee

- Complete Fence Permit Application.
- Submit the application to the Town of Frederick with the following attachments:
 - Two copies of a plot plan or drawing/sketch: (ex. Google maps screenshot, sketch, attached Diagram Example Worksheet)
 - Indicate **dimensions, location** and **materials** of the fence.
 - Show the location of the primary structure and any accessory structures.
 - Show streets and alleyways, indicate frontage of lot.
 - Itemized list of **material and labor costs** associated with project.
- Staff will collect the permit fee at this time. Permit fee is non-refundable if the permit is denied.
 - Single Family Residential: \$50
 - Other than Single Family Residential: Fee based on valuation of total project cost.
 - Use Tax is collected on all permits.

NOTE: If you are using a contractor or company to install the fence, all contractors must be licensed by the Town of Frederick.

STEP 2: Staff Review

- All required items listed above must be received in order for the Building Official and Planning staff to review the application.

STEP 3: Permit Issuance

- Upon approval, the Building Department will notify you when the permit is ready to be picked up.
- The permit must be displayed in a visible location at the job site until project completion.

NOTE: You must be in possession of a valid permit before beginning any construction.

STEP 4: Construct Fence

No Inspection required for Fences seven (7) feet high and under.

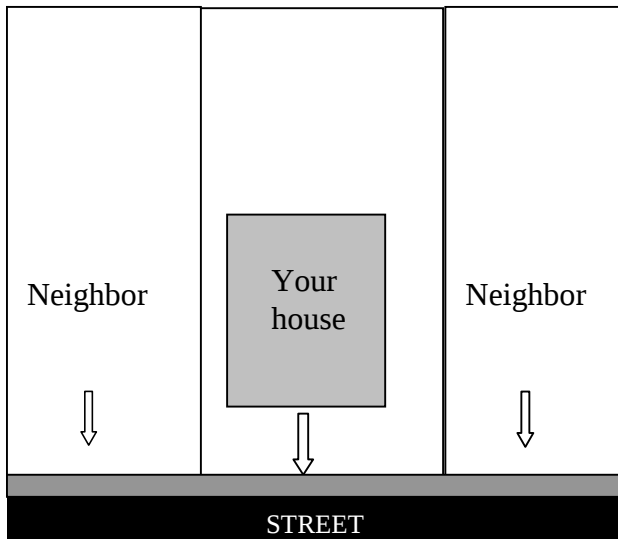
Diagram Example Worksheet

In-lieu of a plot plan or drawing/sketch, please utilize the diagram below. Two copies are required.

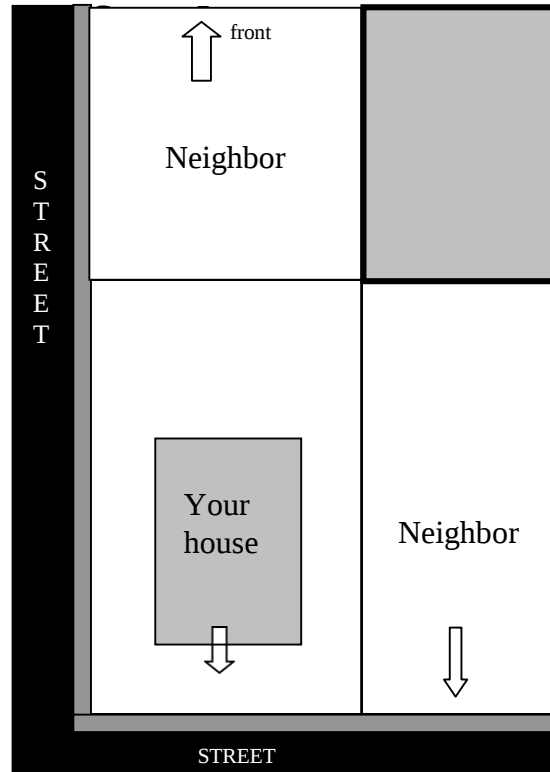
Please select the diagram below that best represents your home and lot. Place “X’s” where you will be placing your fence and indicate distance from sidewalks if applicable. It is the responsibility of the homeowner or contractor to submit plans to their HOA, build fence according to approved fencing detail and material for their area and ensure that their fence is placed appropriately. Fences are not allowed to go beyond the front of the house.

The Town is NOT responsible for enforcing HOA rules and covenants.

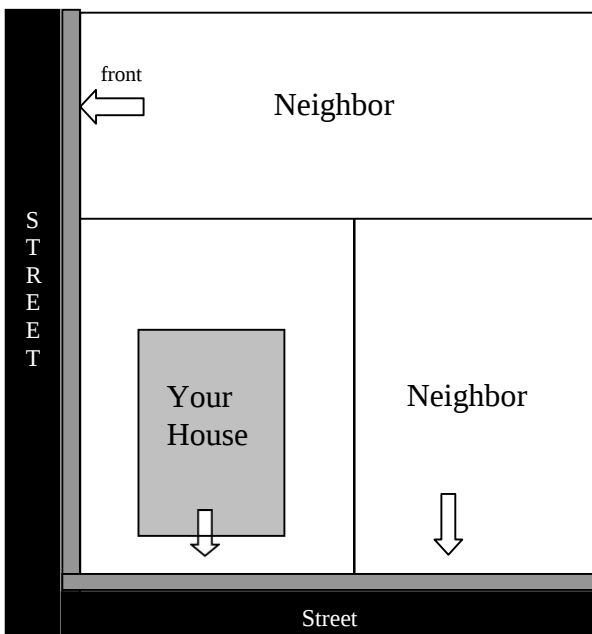
Interior Lot



Regular Corner Lot



REVERSE CORNER LOT (When side of neighbor's house faces back of your house)



Notes:

Sec. 2.16. Fences and walls.

1. *Intent.* It is the intent of this Section to ensure that walls and fences are attractive and in character with the neighborhood.

2. *General provisions.*

a. *Compatibility.* Walls and fences shall be architecturally compatible with the style, materials and colors of the principal buildings on the same lot.

b. *Visual interest.* If used along collector or arterial streets, such features shall be made visually interesting by integrating architectural elements such as brick or stone columns, varying the alignment or setback, softening the appearance with plantings, or through similar techniques.

(1) In order to prevent mundane expanses of fencing, a fence must have a unique element located every fifty (50) feet.

(2) Retaining walls in residential districts:

(a) Adjacent to a local street are exempt from this requirement;

(b) Adjacent to a collector or arterial street and more than three hundred (300) square feet shall have a unique element every fifty (50) feet.

(3) Retaining walls in a non-residential zoning district and more than three hundred (300) square feet shall have a unique element every fifty (50) feet.

c. *Fence/wall materials.*

(1) Stone walls, brick walls with a stone or cast stone cap, treated wood fences, decorative metal, cast iron fences, stucco walls, and stone piers are encouraged.

(2) Solid walls and fences are permitted in rear and side yards of all zoning districts, provided they are not within the site distance triangle.

(3) Fences used within front setbacks of all zoning districts shall be at least fifty percent (50%) open. Allowable fences are split rail, wrought iron, picket or other opaque fences of a similar nature.

(4) Hedges may be used in the same manner and for the same purposes as a fence or wall.

(5) Solid fences shall be constructed to meet the wind design criteria of the currently adopted building code, using a basic wind speed of ninety (90) miles per hour.

(6) Other materials may be incorporated in fences and walls as may be approved by the Planning Director.

(7) Chain link fencing is permitted in the following instances:

(a) In the Industrial zoning district with the following restrictions:

- i) The chain link is vinyl coated;
- ii) It is no taller than eight (8) feet anywhere on the premises.

(b) Around a publicly owned recreation area with the following restrictions:

- i) The chain link is vinyl coated.

(c) Around the playground area of a state licensed child care center with the following restrictions:

- i) The chain link is vinyl coated.
- ii) The fence is less than five (5) feet tall.

d. *Prohibited materials.*

(1) Contemporary security fencing such as concertina or razor wire, barbed wire or electronically charged fences are prohibited unless specifically allowed by the Board of Trustees. Electric barrier fencing installed and used with a transmitter collar worn by a dog(s) for the purpose of maintaining the dog(s) within the owner or keeper's premises shall be permitted.

(2) Chain link fencing with or without slats shall not be used as a fencing material except as identified in Section [2.16.2.c\(7\)](#).

e. *Retaining walls.* Retaining walls shall be designed to resist loads due to the lateral pressure of retained material in accordance with accepted engineering practice and shall not be unsightly or detrimental to abutting property.

(1) Retaining walls are permitted where required for landscaping or architectural purposes.

f. *Height limitations.* Fences or walls shall be:

(1) No more than forty-two (42) inches high between the front building line and the front property line. For corner lots, front yard fence regulations shall apply to both street sides of the lot.

- (2) No more than forty-two (42) inches high if located on a side yard line in the front yard, except if required for demonstrated unique security purposes.
- (3) No more than seven (7) feet high for an opaque privacy fence located on a rear property line or on a side yard line in the rear yard.
- (4) No more than seven (7) feet high for opaque privacy fences that are located directly adjacent to and integrated with the architecture of the house or connected to a courtyard.
- (5) No more than thirty (30) inches high when located within the site distance triangle, and fences or walls within this site distance triangle shall not be solid.
- (6) In the Industrial (I) zone district, a chain link fence may be up to eight (8) feet tall.
- (7) Fences around a recreation court (e.g., tennis, squash racket, squash tennis or badminton) or around a publicly owned recreation area may exceed seven (7) feet in height if the fence is at least fifty percent (50%) open.

g. *Maintenance.*

- (1) Dilapidated, unsightly, or dangerous fences, walls, or retaining walls shall be removed or repaired when so ordered by the Building Inspector or Community Service Officer according to Municipal Code Chapter [7](#), Article II or Chapter [11](#), Article III.

3. *Warranty period.* Developers shall provide a warranty period for perimeter fences along arterial and collector streets of two (2) years. Provision for compliance shall be as outlined in the warranty section of the Memorandum of Agreement for Public Improvements (MOAPI). (Ord. 1145 § 15 (Exh. A), 2013)

The Frederick Land Use Code is current through Ordinance 1295, passed 2018.

Disclaimer: The Town Clerk's Office has the official version of the Frederick Land Use Code. Users should contact the Town Clerk's Office for ordinances passed subsequent to the ordinance cited above.

Town Website: www.frederickco.gov

Town Telephone: (720) 382-5500

[Code Publishing Company](#)

**TOWN OF FREDERICK, COLORADO
ORDINANCE NO. 1327**

**AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO, AMENDING
CHAPTER 18, ARTICLE I, OF THE *FREDERICK MUNICIPAL CODE* REGARDING
BUILDING CODE REGULATIONS TO REQUIRE BUILDING PERMITS FOR
FENCES.**

WHEREAS, the provisions of the Frederick Building Code are necessary to protect life, health, and property within the Town, to prevent nuisances within the Town, to preserve and enforce the general welfare, and to protect safety, order and security of the Town and the inhabitants thereof; and

WHEREAS, the purpose of this amendment is to require building permits for all fences.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:

Section 1. Section 18-1-70 of the *Frederick Municipal Code* is hereby amended by the addition of the following subsections:

- “(94) Section 105.2 Building: of the *International Residential Code* is amended by the replacement of the phrase “2. Fences not over 7 feet (2134 mm) high” with the words “2. Deleted” (Design standards for fences and walls are included in the Land Use Code undersection 2.16.)
- “(95) Section 105.2 Building: of the *International Building Code* is amended by the replacement of the phrase “2. Fences not over 7 feet (2134 mm) high” with the words “2. Deleted” (Design standards for fences and walls are included in the Land Use Code undersection 2.16.)

Section 2. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 3. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town Board hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid.

Section 4. Repealer. All ordinances or resolutions and motions of the Board of Trustees of the Town of Frederick or parts thereof, in conflict with this ordinance are to the extent of such conflict hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance, resolution or motion, nor revive any ordinance, resolution or motion thereby.

**INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS
12TH DAY OF NOVEMBER, 2019.**

ATTEST:

By _____
Meghan C. Martinez, CMC, Town Clerk

TOWN OF FREDERICK

By _____
Tony Carey, Mayor

**TOWN OF FREDERICK
RESOLUTION NO. 19-R-98**

**A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO,
AMENDING FEES FOR MUNICIPAL SERVICES**

WHEREAS, The Town of Frederick has adopted Ordinance No. 1161 which established a process for establishing certain municipal fees; and

WHEREAS, Ordinance No. 1161 directed the Town Clerk to prepare and publish by posting a listing of all such fees; and

WHEREAS, pursuant to the Ordinance No. 1161, the fee schedule is reviewed and updated periodically by resolution; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, WELD COUNTY, COLORADO THAT:

Section 1. The Board of Trustees hereby amends the Fee Schedule with the changes noted on the attached Exhibit A.

Section 2. **Effective Date.** This resolution and attached Exhibit A shall become effective immediately upon adoption.

Section 3. **Repealer.** All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 4. **Certification.** The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

**INTRODUCED, READ, PASSED, AND ADOPTED ON THIS 12TH DAY OF
NOVEMBER, 2019.**

ATTEST;

Meghan C. Martinez, CMC, Town Clerk

TOWN OF FREDERICK

By _____
Tony Carey, Mayor

EXHIBIT A

Section 18-1-70 Building Code Permit Fees

Building Permit Fees:

Value of Project	Fee
\$1.00 to \$500	\$23.50
\$501 to \$2,000	\$23.50 for the first \$500 plus \$3.05 for each additional \$100 or fraction thereof, up to and including \$2,000
\$2,001 to \$25,000	\$69.25 for the first \$2,000 plus \$14.00 for each additional \$1,000 or fraction thereof, up to and including \$25,000
\$25,001 to \$50,000	\$391.75 for the first \$25,000 plus \$10.10 for each additional \$1,000 or fraction thereof, up to and including \$50,000
\$50,001 to \$100,000	\$643.75 for the first \$50,000 plus \$7.00 for each additional \$1,000 or fraction thereof, up to and including \$100,000
\$101,001 to \$500,000	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000 or fraction thereof, up to and including \$500,000
\$500,001 to \$1,000,000	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000 or fraction thereof, up to and including \$1,000,000
\$1,000,001 and up	\$5,608.75 for the first \$1,000,000 plus \$3.65 for each additional \$1,000 or fraction thereof

Plan Review Fee

65% of Building Permit Fee

Fence Permit Fee:

Residential:

Flat Rate

\$50.00

Commercial:

Valuation of Project

Building Permit Fee Valuation

**Use Tax is collected on all building permits.*



FENCE MATERIALS AND DESIGN

Section 2.16, Fences and Walls, of the Frederick Land Use Code, outlines the types of materials allowed for fences within the Town of Frederick.

A variety of fence and wall materials are allowed including:

- Treated wood
- Decorative metal
- Cast iron fences
- Stucco walls
- Stone walls
- Brick walls with a stone cap
- Chain link (with restrictions in certain zones)

Materials that are generally not permitted include security fencing such as razor wire, barbed wire, or electronically charged fences; chain link fencing is only allowed as under section 2.16(2)(c) (7).

If you have any questions regarding allowable or prohibited materials, contact the Planning Department at (720) 382-5650.

More information on materials is available online at Frederick.Municipal.Codes/LUC/2.16

MORE INFORMATION

Fence Permit Fee

For single family residential properties, there is a flat fee of \$50, plus use tax. For all other properties, the fee is based on valuation of total project cost.

Application

The fence permit application is available at Town Hall during regular business hours or online at FrederickCO.gov/Fences.

Questions?

For questions, please contact the Town of Frederick Building Division at (720) 382-5604 or email MTheisen@FrederickCO.gov.

CONTACT US

Town of Frederick
Engineering Department
Building Division
401 Locust Street
Frederick, CO 80530

Phone: (720) 382-5604
Fax: (720) 382-5520
Email: Building@FrederickCO.gov

FrederickCO.gov



FENCES IN FREDERICK

Frequently Asked Questions
about Installing, Altering or
Relocating Fences in Frederick



Built On What Matters

DO I NEED A FENCE PERMIT?

Yes. A permit is needed:

- To install a new fence
- To move an existing fence
- To alter an existing fence (such as materials)

The fence permit process ensures that fences are installed in accordance with current land use and building regulations, do not negatively impact sight lines and ensure that fences are attractive and in character with the community.

HOW DO I GET A FENCE PERMIT?

Permits are issued by the Town of Frederick's Building Division. Applicants must submit an application and two copies of a plot plan or sketch using the provided diagram examples to identify existing buildings, fences, streets and alleys, as well as the location of proposed fences and/or alterations.

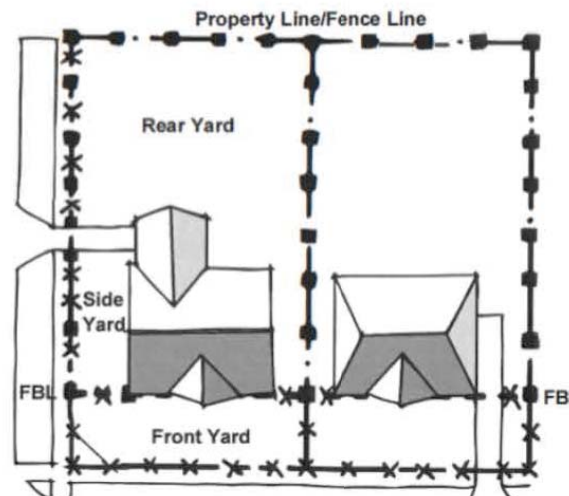
Applications are available online at FrederickCO.gov/Fences.

Mail to:
Frederick Building Division
PO Box 435
Frederick, CO 80530

Email to:
MTheisen@FrederickCO.gov

FENCE LOCATION, HEIGHT AND TYPE INFORMATION

RESIDENTIAL FENCE HEIGHT AND PLACEMENT



- Fence height is limited to 7 feet behind the Front Building Line (FBL)
- Solid fences are permitted

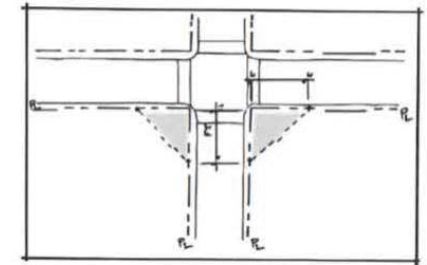


- Height is limited to 42 inches
- Fence must be at least 50% open



- Either type of fence or a combination of the two outlined above is permitted depending on location of the "front" of the house

SIGHT DISTANCE TRIANGLE



Do you have a corner lot? If so, then sight distance restrictions apply. Solid fences taller than 30 inches are not permitted in the sight distance triangle (indicated in gray). If you are planning on building a fence impacting a sight distance triangle, please contact the Building Division for assistance.

EXAMPLES OF FENCE TYPES AND FENCES ON RETAINING WALLS

