



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR & TOWN COUNCIL
FROM: STACEY NELL, TOWN CLERK
RE: Home Rule Charter Code Review (Article III, Section XIV) – Schedule Approval and Review of Chapters 167, 171 & 180
DATE: JANUARY 9, 2024

Summary and Background: The Frisco Home Rule Charter, Article 3, Section 14 is titled “Ordinance Review” and reads: “(a)The Council shall review ordinances of a general and permanent nature adopted on or after the effective date of this Charter at least once every five (5) years after adoption for possible amendment or repeal.(b)The Council shall establish a schedule for reviewing all ordinances of a general and permanent nature which were adopted prior to the effective date of this Charter.(c)The failure to review any ordinance pursuant to this section shall not affect the validity or enforceability of the ordinance.”

Analysis: There are currently 36 chapters of [Town Code](#):

Chapter	Title
1	GENERAL PROVISIONS
4	BOARD OF APPEALS
6	ANNEXATION PROCEDURES
9	BIDDING PROCEDURES AND CONTRACT INFORMATION
10	COUNCILMEMBERS AND MAYOR
11	BUDGETARY PROCEDURES
13	CEMETERY MANAGEMENT
15	CODE OF ETHICS
17	MUNICIPAL COURT
18	MUNICIPAL POLICIES AND PROCEDURES
20	ELECTIONS
23	HOUSING AUTHORITY
25	INVESTMENTS
31	ADOPTION OF ORDINANCES
41	PLANNING COMMISSION
43	FRISCO ARTS AND CULTURE COUNCIL

53	ALCOHOLIC BEVERAGES
61	BRUSH, GRASS AND WEEDS
65	BUILDING CONSTRUCTION AND HOUSING STANDARDS
79	DOGS AND OTHER ANIMALS
87	EXCAVATIONS
97	FLOOD HAZARD AREAS
102	HAZARDOUS SUBSTANCES
110	LICENSING OF BUSINESSES
124	PUBLIC HEALTH AND SAFETY
129	ALARM BUSINESS
130	PARKS AND OPEN SPACE
140	DILLON RESERVOIR RECREATION AREA
141	ABANDONED AND UNCLAIMED PROPERTY
142	VACATION OF PROPERTY
153	SNOWMOBILES
155	STREETS AND PUBLIC WAYS
167	VEHICLES AND TRAFFIC
171	WATER
177	WRECKERS AND TOWING
180	UNIFIED DEVELOPMENT CODE

In the attached “Proposed Code Review Schedule 2024-2028”, Town Code has been divided into a quarterly review schedule over the next 5 years, meant to repeat cyclically in accordance with the Charter’s stipulation for regular review, to be established upon approval of this Town Council.

The purpose of this Code review is three-fold:

- Conformation of Code with State and Federal legislation and regulations, if necessary
- Updates in accordance with best practices in various professions/fields/responsibilities of a Municipal government organization
- Opportunities to implement diversity, equity and inclusion-driven language

Today’s meeting marks the end of the first quarter of 2024, where the following Code Chapters are deemed up for review in the attached schedule:

- Chapter 167 – “Vehicles & Traffic”
- Chapter 171 – “Water”
 - *Please note tonight you have a second reading of Ordinance 24-07 that will make the most recent recommended update to this chapter regarding Unified Water Timing Regulations.*
- Chapter 180 – “Unified Development Code”

Financial Impact: Staff time will certainly need to be dedicated to reviewing Code at least once every five years, and depending on the amount of changes needed to each Code Chapter, could have a financial impact if any additional Attorney costs need to be incurred to perform research and/or update Code.

Alignment with Strategic Plan: Operating in accordance with the Town’s Charter is a fundamental purpose of the Town government as a whole, and is a particular focus of the Administration Department in its partnership with Town Council. While the Charter serves as the foundational legal document for the community and the municipal government structure that operates in its service, the Strategic Plan addresses the current direction of the Town Council. Woven throughout the [Strategic Plan](#), are statements that expect administrative functions like this Code Review to proceed, such as the Public Service Commitment to “Provide leadership, civility, efficiency, transparency, accountability, and fiscal responsibility to assure a thriving future for the Town of Frisco”, as well as the first Strategic Objective “Quality Core Services” that commits Staff and Council to “providing timely and innovative core services...with professionalism”.

Staff Recommendation: Staff recommends that Council approve this review schedule, for staff in partnership with the Town Clerk to review Code under their purview, and report on any necessary changes to Council within the designated quarter and year. Staff verifies the following listed Code Chapters 167, 171, and 180 are not in need of any updating at this time. Staff are:

167	VEHICLES AND TRAFFIC	Police	
171	WATER	Engineering & Public Works	Administration (Sustainability)
180	UNIFIED DEVELOPMENT CODE	Community Development	Engineering & Public Works

Reviews and Approvals:

Tom Wickman, Chief of Police (Verified Code Chapter 167 to Town Clerk)
 Katie Kent, Community Development Director (Verified Code Chapter 180 to Town Clerk)
 Chris McGinnis, Town Engineer & Public Works Director (Verified Code Chapter 171 to Town Clerk)
 Thad Renaud, Town Attorney
 Tom Fisher, Town Manager

Attachments:

Attachment 1 – Proposed 5 Year Code Chapter Review Schedule (by Chapter)
 Attachment 2 – Proposed 5 Year Code Chapter Review Schedule (Chronological)
 Attachment 3 – Frisco Home Rule Charter Article III, Section XIV “Ordinance Review”