

COMPLAINT PROCEDURE
TOWN OF PITKIN, COLORADO

Authority

Pursuant to Sec. 31-15-103 of the C.R.S. Municipalities have power to make and publish ordinances not inconsistent with the laws of this state, for carrying into effect or discharging the powers and duties which are necessary and proper to “provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of such municipality and the inhabitants thereof not inconsistent with the laws of Colorado.”

Types of Complaints:

- Ordinance Violation (Non-Zoning Related)

Example: Any activity or circumstance that is in violation of current Pitkin ordinance(s). Please note: Violations of the zoning code are addressed within the Zoning Ordinance (See Section 19). Please refer such matters as are appropriate to the Zoning Board of Adjustments.

- Inappropriate Conduct of Government Official

Example: See Town of Pitkin's *Code of Conduct* for further information on subjects related to; public disruption at meetings, Trustee behavior and conduct expectations, and disciplinary procedure. (see also C.R.S.31-4-307)

Zoning-related violation(s) or appeal(s): Please contact the Town of Pitkin Zoning Board

Time-sensitive-complaint(s): Please contact the Mayor or other Authorized Town Agent

Traffic/Crime related complaint(s): Please contact the Gunnison Sheriff at (970)641-1113.

If your complaint cannot be categorized above, please take special consideration as to its nature. If not addressed through ordinance or resolution, the municipality of Pitkin defaults to the Colorado Constitution and the Colorado Revised Statutes. Civil complaints and/or grievances can be directed to an attorney for advisement. It is not the responsibility of the Town of Pitkin to mediate in these matters.

Process — What to expect when filing a complaint

- Step 1 - Receipt

Written and signed complaint forms are submitted to the Town Clerk and become public record. Anonymous complaints are acceptable.

Mail: Town of Pitkin Email: thetownofpitkin@gmail.com
 P.O. Box 9
 Pitkin, CO, 81241

Verbal complaints that are received by the Mayor or other Authorized Agent must be documented on this same form and submitted to the Town Clerk within 48 hours of their receipt.

- Step 2 - Record & Distribution

Upon receipt, the Town Clerk will open a file on the official, address, or location in question and forward the complaint form to each trustee.

- Step 3 - Investigation & Report

The Mayor or other authorized Town Agent will investigate the validity of the complaint in a reasonable and timely manner. A written report of the preliminary findings is then submitted to the

Town Clerk for distribution to the Trustees. The initial complaint and report will be summarized during the Mayor's Report at the next regularly scheduled town meeting.

OWTS complaints: Both the Environmental Health Agent and the Sanitarian of the Town of Pitkin are authorized to conduct the preliminary investigation and report.

The preliminary report will contain the following information:

- Report: No Violation - No action by the town is necessary
- Report: Violation Description - Abatement successful or pending. Follow up recommendation to the Board of Trustees.
- Report: Violation Description- Abatement unsuccessful; Subject and/or property is non-compliant. Abatement and disciplinary recommendation to the Board of Trustees.

- Step 4 - Judgement

When at such time the subject and/or property is found to be in violation of an ordinance the following action will be taken:

- Emergency Situations: The Mayor may at his/her discretion or at the request of the Sanitarian or Environmental Health Agent call a special meeting to address the complaint.
- Persons or Properties found to be in violation of a Town ordinance will receive a letter of ruling and disciplinary procedure from the Board of Trustees or the Environmental Health Board. For OWTS violations, a public hearing may be requested and scheduled per Res. No. 3., Series 2017.

For more information please reference:

- Ordinance 2002-1 Nuisance Ordinance
- Resolution 2016-16 Code of Conduct
- Resolution 2017-3 OWTS Complaint Hearing Protocol
- Ordinance 2018-2 OWTS Ordinance
- Ordinance 2017-3 Rental Advertising Ordinance

COMPLAINT FORM
TOWN OF PITKIN, COLORADO

COMPLAINANT NAME _____

DATE & TIME _____

SUBJECT OF COMPLAINT ___ ORDINANCE VIOLATION
 (Non-zoning related issues only)
 ___ CONDUCT VIOLATION OF LOCAL OFFICIAL

NAME/ADDRESS OF ACCUSED _____

APPLICABLE ORDINANCE, RESOLUTION, OR C.R.S. _____

LOCATION OF ALLEGED VIOLATION _____

DESCRIPTION OF EVENT (Separate sheet may be attached if necessary)

WITNESSES/EVIDENCE _____

(The presence of a witness or other evidentiary items will help to validate the complaint.)

Upon receipt of your letter the Town Clerk will deliver it to the Mayor and Trustees. The Mayor or other Authorized Town Agent will conduct a preliminary investigation. If emergent, a special meeting may be called. Otherwise, a report will be given at the next regularly scheduled town meeting.

Signature of Complainant: _____

Signature of Primary Witness: _____

If you wish to file an anonymous complaint you may do so by submitting the above information to thetownofpitkin@gmail.com or P.O. Box 9. Pitkin, CO 81241

Received by: _____ Date: _____