

APPENDIX

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APPENDIX A

Fees and Charges

(a) The fees set forth in this Appendix A are intended to replace any fees and charges which are printed elsewhere in the Rifle Municipal Code. To the extent that these fees and charges differ from those which may appear elsewhere, the provisions of this Appendix shall control.

(b) As applied to this Appendix, the term *Equivalent Residential Unit* ("EQR") shall have the same meaning assigned under Section 13-4-50 of the Rifle Municipal Code.

<i>Code §</i>	<i>Description</i>	<i>Fee</i>
Chapter 2		
2-4-230	Municipal Court fees	
	Docket fee, traffic infraction	\$30.00
	Docket fee, all other actions	\$35.00
	Surcharge	10% of fine
	Jury fee	\$25.00
	Witness fee assessment	\$2.00/day
	Witness fee for testifying	\$2.00/day
	Juror fee, engaged on jury	\$6.00
	Juror fee, attendance on panel	\$3.00
	Mileage fees	Current IRS rate/mile
	Deferred judgment and sentence or deferred prosecution	\$50.00
	Probation fee	\$50.00
	Bench warrant fee	\$50.00
	Dismissal of compulsory insurance	\$10.00
Chapter 6		
6-1-70	Coin-operated amusement devices, including but not limited to billiard tables, pool tables, pinball machines, video and electronic games and amusement devices	\$60.00 first device; \$30.00 each additional device
	Coin-operated or currency-operated vending machines for sale of merchandise	No charge with Rifle sales tax license; otherwise \$60.00 per machine
	Auctioneers	\$50.00/year or \$5.00/day
	Transient carnivals	\$25.00/day
	Peddlers, solicitors, transient merchants	\$100.00/year or \$10.00/day
	Massage parlor	\$2,500.00/year
	Pawnbrokers	\$250.00/year
6-2-20	Sales tax license	
	Issuance, renewal	\$12.00
	Issuance after July 1	\$6.00
6-2-80	Special event license	\$50.00

6-3-30	Adult entertainment establishments	
	Initial application fee	\$2,000.00
	Employee annual renewal fee	\$100.00
	Transfer of location or ownership fee	\$2,000.00
	Annual license renewal	\$1,000.00
6-3-150	Initial employee permit application fee	\$500.00
6-4-20	Alarm licenses, charges	
	First issuance	\$75.00
	Annual renewal	\$50.00
	False alarm in any calendar quarter:	
	1st false alarm	No charge
	2nd false alarm	\$25.00
	3rd false alarm	\$35.00
	4th false alarm	\$50.00
	5th false alarm	\$75.00
	6th or more false alarms	\$100.00/false alarm
6-5-150	Liquor license fees	
	New license application: 09/15/08 — 07/01/09	\$750.00
	New license application: 07/02/09 — 07/01/10	\$875.00
	New license application: after 07/02/10	\$1,000.00
	Renewal	\$100.00
	Transfer of location	\$750.00
	Transfer of ownership	\$750.00
	Temporary permit	\$100.00
	New manager registration	\$50.00
	Late renewal application	\$500.00
6-5-160	Administrative fee for appeal	\$25.00
6-6-40	Well inspection fees	\$500.00
	Application fee	\$1,000.00
6-7-60	Refuse Collection Rates and Charges	
	Single-family residential, multi-family:	
	1 64-gallon container	\$13.76/month
	Each additional 64-gallon container	\$11.70/month
	1 96-gallon container	\$17.24/month
	Each additional 96-gallon container	\$14.65/month
	Commercial:	
	1 64-gallon container	\$13.38/month
	1 96-gallon container	\$16.86/month
	Commercial/multi-family:	
	1 300-gallon container	\$41.95/month
	Extra pickup, same location, same day	\$26.63/month

	1 300-gallon container	
	Extra pickup, same location, each extra day 1 300-gallon container	\$43.82/month
	Special pickup 1 300-gallon container	\$30.15/pickup
	Special services for multi-family residential units with 300-gallon container	\$0.39/unit/month added to 300- gallon container account bill
	Senior citizens/disabled persons discount:	
	1 64-gallon residential container	80% of applicable rate
	1 96-gallon residential container	80% of applicable rate
6-7-90	Refuse hauler collection delinquency (per notice)	\$3.00
6-8-40	Medical marijuana business application packet fee	\$50.00
	Medical marijuana business application filing fee	\$1,000.00 per permit
	Background investigation fee per person	\$100.00
6-8-90	Appeal fee	\$250.00
6-8-100	Permit transfer fee	\$500.00 per permit
6-8-110	Medical marijuana business renewal application filing fee	\$850.00 per permit
Chapter 7		
7-2-110	Dumping on property permit	\$25.00
7-6-130	Dog license fees (licenses valid for 12 months from date of issuance)	
	Altered	\$10.00
	Unaltered	\$20.00
7-6-180	City impound	
	Altered	\$30.00
	Unaltered	\$50.00
	Boarding	\$10.00/day
	Adoption	
	Dog	\$50.00
	Cat	\$30.00 or \$50.00/two cats
	Abandonment	\$20.00
Chapter 8		
8-2-90	Abandoned, inoperable vehicle (less than 10,000 pounds) towing fee	\$50.00
	Abandoned, inoperable vehicle (less than 10,000 pounds) storage fee	\$4.00/day
Chapter 11		
11-4-90	Street cut permits (in addition, applicant must post adequate security for repairs)	\$50.00
11-7-30	Rose Hill Cemetery Fees	
	Grave spaces	
	Adult:	\$630.00
	Infant (Fairyland):	\$315.00

	Mausoleum (2-space crypt)	\$1,500.00
	Columbarium:	
	1 Niche	\$750.00
	2 Niches	\$1,400.00
	Perpetual care	
	Per Lot	\$575.00
	Per Crypt	\$575.00
	Per Niche	\$290.00
	Grave opening/closing	
	Casket	\$342.00
	Setting cremains or crypt	\$200.00
	Setting cremains in columbarium	\$110.00
	Disinterment of grave	\$2,500.00
	Reinterment of grave	\$2,500.00
	Disinterment of cremains	\$250.00
	Reinterment of cremains	\$250.00
	Additional service charge for burials which are held on Saturdays, Sundays, holidays or Mondays or the day after a legal holiday before 1:00 p.m.:	
	Casket/setting cremains	\$551.00
	Total Charges	
	Adult – weekday	\$1,547.00
	Cremains – weekday	\$1,405.00
	Mausoleum – weekday	\$1,238.00
	Columbarium – weekday	\$1,150.00
	Columbarium – weekend/holiday	\$1,701.00
	Cremains – weekend/holiday	\$1,945.00
	Mausoleum – weekend/holiday	\$1,789.00
	Adult – weekend/holiday	\$2,098.00
Chapter 13		
13-1-370	Water meter activation, installation at time of initial connection to City's water system	Reimburse City for actual cost of acquisition, installation & inspection of water meters, plus 15% handling charge as determined by Public Works Director
13-1-380	Water rates	
	Standard water service fees for users within corporate city limits: All classes of water users located within the corporate City limits shall pay the following monthly water service fees:	
	Flat fee	\$14.55 per water account up to 4,000 gallons of monthly water use
	Plus (in addition to above)	\$2.81/1,000 gallons or part thereof, of water use/month over 4,000 gallons
	Variable rates/other fees	

	Outside corporate City limits	200% applicable in-City rate (Subject to flat fee at increased rate)
	Senior citizen/disabled (in City only)	80% applicable in-City rate (Subject to flat fee at discounted rate)
	Single-family residential premium	\$3.03/1,000 gallons (if use exceeds 30,000 gallons)
	Multi-family or master meter premium (per EQR)	\$3.03/1,000 gallons (if use exceeds 21,000 gallons)
	Interruptible water service rate	\$2.32/1,000 gallons
	Bulk sales rate (hydrant – when permitted)	400% applicable in-City rate
	Meter installation/account activation fee	\$100.00
	Monthly service charge	\$25.00
	Bulk sales – vending machine	\$7.99/1,000 gallons
	Pressure surcharge (south of river)	\$0.41/1,000 gallons
	Late charge (per delinquency notice)	\$5.28/delinquency notice
	Duplicate bill charge	\$0.80 each duplicate issued
	Meter activation charge	\$13.55
	Meter installation	
	Less than or equal to 1"	\$162.60
	Greater than or equal to 1½"	\$203.26
	Water connection inspection	\$67.76
13-1-410	Water Rates	
	Residential single-family:	
	Flat fee — includes 4,000 gallons	\$16.65
	Rate per additional 1,000 gallons	\$3.22
	Rate per 1,000 over 30,000 per month	\$3.47
	Residential multi-family or master meter:	
	Flat fee — includes 4,000 gallons	\$16.65
	Rate per additional 1,000 gallons	\$3.22
	Rate per 1,000 over 21,000 per month	\$3.47
	Senior citizen/disabled rates — 80% in-City rate:	
	Flat fee — includes 4,000 gallons	\$13.33
	Rate per additional 1,000 gallons	\$2.57
	Rate per 1,000 over 30,000 per month	\$2.78
	Interruptible water service (irrigation only)	\$2.90
	Bulk water sales — hydrant (400% of in-City rate)	\$12.87
	Bulk water sales — vending machine per 1,000 gallons	\$9.95
	Pressure surcharge south of river	\$0.51
	Late charge per delinquency notice	\$7.14
	Duplicate bill charge	\$0.99
	Meter activation charge	\$16.86
	Meter installation:	

	Less than or equal to 1"	\$202.35
	Greater than 1"	\$252.96
	Water connection inspection	\$84.33
	Meter calibration:	
	Meters up to and equal to 1"	\$0.00
	Meters greater than 1"	\$35.69
	Customer-requested meter reads	\$7.14
	Future water rate increases: From January 1, 2007, through December 31, 2011, water service fees for all classes of water users located within the corporate City limits shall increase on January 1 of each calendar year by 4.6%	
13-1-430	Processing and preparation of water and sewer delinquency notices	\$7.14 per notice
	Processing and preparation of water and sewer shut-off notices	\$15.00 per notice
	Physical turn-off of services	\$30.00
	Physical turn-on of services:	
	Customer's first time	No fee assessed
	Second time	\$45.00
	Third time and any thereafter	\$60.00
13-1-730	Meter calibration and additional reading	
	Meters up to and including 1", if meter is accurate	\$30.00
	Meter exceeding 1", if meter is accurate	Actual costs
	Additional meter reading requested by customer	\$6.00
13-3-350	Major contributing user surcharge	\$0.24 per pound BOD \$0.39 per pound SS
	Sampling and analysis charge	\$100.00 per sampling
13-3-510	Sewer Rates	
	Residential:	
	Flat fee — includes 4,000 gallons	\$30.88/month
	Rate per additional 1,000 gallons	\$7.53/month
	Senior citizen/disabled rates — 80% in-City rate:	
	Flat fee — includes 4,000 gallons	\$24.71
	Rate per additional 1,000 gallons	\$6.02
	Sewer connection inspection	\$93.51
	Future sewer rate increases: From January 1, 2007, through December 31, 2011, sewer service fees for all classes of sewer users located within the corporate City limits shall increase on January 1 of each calendar year by 4.6%	
13-3-560	Interest assessments on delinquent water, sewer and refuse collection charges	1.25%/month
13-3-620	Application fee for wastewater hauler license	\$100.00 per vehicle used by the applicant
13-3-690	Fee payment for domestic and industrial wastewater hauling	
	Flat fee	\$100.00 up to and including first 1,000 gallons
	Plus (in addition to above)	\$10.00 for each 100 gallons over 1,000 gallons
13-4-70	Water System Improvement Fees	

	Water system improvement fee (in-City), per EQR	\$5,469.50
	Future water system improvement fee increases: from January 1, 2007, through December 31, 2011, water system improvements fees for users located within the corporate City limits shall increase on January 1 of each calendar year by 5% per year.	
13-4-80	Northeast Tank Upper Pressure Zone Impact Fee	
	(a) The Northeast Tank Upper Pressure Zone includes all developable lands generally located above an elevation of 5,465 feet mean sea level, on or adjacent to the Graham Mesa and Highlands East development areas, including those areas which lie north and east of the intersection of Ute Avenue and Fifth Street and those areas lying east of the west terminus of Arabian Avenue with 12th Street. A map generally depicting the Northeast Tank Upper Pressure Zone is on file and available for review during normal business hours at the City Clerk's Office at City Hall. The City Manager, in consultation with the City Public Works Director, shall make the final determination of whether a specific parcel of land is located within the Northeast Tank Upper Pressure Zone.	
	(b) Impact fee, per EQR	\$1,860.00
	(c) The Northeast Tank Upper Pressure Zone impact fee is a separate and additional charge to the residential water system development fee established in Section 13-4-70. Upon payment of the costs and debt service of the construction of the Northeast Water Storage Tank, the final determination of which shall be made by the City Manager, in consultation with the Public Works Director, the Northeast Tank Upper Pressure Zone impact fee shall no longer be imposed.	
13-4-90	Wastewater system Improvement Fees And Surcharge	
	(a) Wastewater system improvement fee (in-City), per EQR	\$6,078.08
	From January 1, 2007, through December 31, 2011, wastewater system improvements fees for users located within the corporate City limits shall increase on January 1 of each calendar year by five percent (5%) per year.	
	(b) Wastewater system improvement fee, outside City. Note: The increased rate for out-of-City use shall not apply to those areas outside of the corporate limits of the City which are served by a contract that expressly establishes different rules with regard to the wastewater system improvement fees due for service to such area.	200% of in-City rate
	(c) Manufacturing/industrial discharge premium: See Section 13-4-90(c) for a discharge premium applied to sewer users – including but not limited to industrial or manufacturing users – who contribute sewage that is stronger than average residential sewage.	
	(d) Surcharge. See Section 13-4-90(d) for an additional charge applied to users who connect to the City's County Road 346 project.	
13-5-110	Backflow prevention device – testing fees	
	All backflow prevention devices, ¾"—2 inches	\$28.00
	Reduced pressure principal assemblies, 2—10 inches	\$28.00
	Double check assemblies, 2—10 inches	\$35.00
Chapter 16		
16-1-100	Off-site street impact fees:	
	Single-family dwelling unit	\$4,355.32
	Multi-family dwelling unit	\$2,673.49
	Nonresidential units or land use	Case-by-case basis based on traffic impact study

	The escalation of off-site street impact fees or any fee adjustments shall be subject to Section 16-1-100.	
16-2-60	Annexation (Cost of annexation shall also include fees for sketch plan and zoning applications)	\$250.00
	Developed land	
	Residential	\$270.00
	Commercial/Industrial	\$270.00
	Mixed Use	\$270.00
	Undeveloped Land	
	Residential (0 – 10.99 acres)	\$270.00
	Residential (11 – 44.99 acres)	\$370.00
	Residential (45 + acres)	\$440.00
	Commercial/Industrial (0 – 5.99 acres)	\$270.00
	Commercial/Industrial (6 – 14.99 acres)	\$370.00
	Commercial/Industrial (15 – 49.99 acres)	\$400.00
	Commercial/Industrial (50 + acres)	\$540.00
	Planned Unit Development	
	Mixed Use Residential	
	0 – 10.99 acres	\$270.00
	11 – 44.99 acres	\$440.00
	45 + acres	\$590.00
	Commercial/Industrial	
	0 – 5.99 acres	\$270.00
	6 – 14.99 acres	\$370.00
	15 – 49.99 acres	\$520.00
	50 + acres	\$670.00
16-15-160, 16-16-10, et seq.	Fairway Avenue Construction Off-site Impact Fees: All fees associated with Fairway Avenue construction off-site impact in the Knollridge, Palomino Park, Kings Crown Mobile Home Park, and Shetland Acres subdivision are set forth below. Said fees shall be due and payable on a per-lot basis at the time of building permit application. The escalation of this fee or any fee adjustments shall be subject to Section 16-16-40.	\$582.40/unit
16-15-160	Parkland dedication fee (per unit)	\$245.00
	Water right dedication cash-in-lieu fee (per unit)	\$450.00
	Fairway Avenue construction off-site impact fee (per unit)	\$582.40
	Subdivision improvement default remediation fee (per unit)	\$100.00
	24th Street completion fee, Development Areas 1 and 2 (per unit)	\$63.00
16-16-30	Fairway Avenue construction off-site impact fee	\$582.40
16-17-40	Regional drainage cost recovery fee:	
	Per residential dwelling unit	\$350.00
	Per commercial development	\$350.00/EQR
Chapter 18		
Chap 18	Building permit fees as set forth in the International Codes adopted in Chapter 18: Building Code; Plumbing Code; Mechanical Code; except in the	

	case of flat fees for small-scale projects as may be adopted by resolution of the City Council.	
18-13-80	Other inspections and fees	
	Inspections outside normal business hours, per hour (Minimum 2 hours)	\$65.00
	Inspections for which no fee is specifically indicated, per hour (Minimum ½ hour)	\$65.00
	Reinspections, per hour (one-hour minimum)	\$65.00
	Additional plan review, per hour (one-hour minimum)	\$65.00
	Additional inspections for which collected fees are not adequate	\$65.00
18-13-90	Permit for moving or demolishing any building or structure	\$50.00
18-14-20	General contractor license annual fee	
	"AA" level License (Unlimited)	\$200.00
	"A" level License (Commercial Limited)	\$175.00
	"B" level License (Light Commercial Limited)	\$150.00
	"C" level License (Home Builder)	\$125.00
	"D" level License (Specialty)	\$75.00
	Contractor minimum combined single-limit insurance	\$1,000,000.00
Miscellaneous Fees		
	City equipment charges, when City equipment is required to be used for the benefit or private individuals or other governmental entities by ordinance or regulation:	
	Street sweeper w/operator, per hour	\$110.00
	Chain saw, per day	\$50.00
	Dump truck, per hour	\$30.00
	Backhoe w/operator, per hour	\$60.00
	Dump truck w/operator, per hour	\$60.00
	Motor grader w/operator, per hour	\$95.00
	Flatbed truck w/operator, per hour	\$45.00
	Laborers	\$1.75 x hourly rate of pay
	Refuse and weed collection	Contractor's charge plus 15%
	Temporary mobile home permit	\$50.00

(Prior code 3.10.010—3.10.340; Ord. 5 §2, 2003; Ord. 8 §2, 2003; Ord. 10 §2, 2003; Ord. 39 §§2—4, 5—8, 2003; Ord. 1 §2, 2004; Ord. 13 §2, 2004; Ord. 17 §2, 2004; Ord. 29 §§1—10, 2004; Ord. 32 §§2—5, 2004; Ord. 37 §§2—7, 2004; Ord. 4 §1, 2005; Ord. 23 §§6, 7, 2005; Ord. 27 §§2—4, 2005; Ord. 08 §2, 2006; Ord. 11 §4, 2006; Ord. 19 §§2, 3, 2006; Ord. 31 §10, 2006; Ord. 40 §3, 2006; Ord. 43 §3, 2006; Ord. 5 §3, 2007; Ord. 6 §§2—5, 2007; Ord. 7 §4, 2007; Ord. 11 §2, 2007; Ord. 23 §3, 2007; Ord. 1 §2, 2008; Ord. 17 §2, 2008; Ord. 2 §7, 2009; Ord. 17 §4, 2009; Ord. 33 §4, 2009; Ord. 34 §10, 2009; Ord. 35 §3, 2009; Ord. 1 §6, 2010; Ord. 6 §3, 2010; Ord. 9 §9, 2010)

APPENDIX B

FCC CUSTOMER SERVICE STANDARDS

[Code of Federal Regulations]
[Title 47, Volume 4, Parts 70 to 79]
[Revised as of October 1, 1998]
From the U.S. Government Printing Office via GPO Access
[CITE: 47 C.F.R. § 76.309]

[Pages 561—563]

TITLE 47 — TELECOMMUNICATION

CHAPTER I — FEDERAL COMMUNICATIONS COMMISSION (Continued)

PART 76 — CABLE TELEVISION SERVICE — Table of Contents

Subpart H—General Operating Requirements

Sec. 76.309 Customer service obligations.

(a) A cable franchise authority may enforce the customer service standards set forth in paragraph (c) of this section against cable operators. The franchise authority must provide affected cable operators ninety (90) days' written notice of its intent to enforce the standards.

(b) Nothing in this rule should be construed to prevent or prohibit:

(1) A franchising authority and a cable operator from agreeing to customer service requirements that exceed the standards set forth in paragraph (c) of this section;

(2) A franchising authority from enforcing, through the end of the franchise term, pre-existing customer service requirements that exceed the standards set forth in paragraph (c) of this section and are contained in current franchise agreements;

(3) Any State or any franchising authority from enacting or enforcing any consumer protection law, to the extent not specifically preempted herein; or

(4) The establishment or enforcement of any State or municipal law or regulation concerning customer service that imposes customer service requirements that exceed, or address matters not addressed by the standards set forth in paragraph (c) of this section.

(c) Effective July 1, 1993, a cable operator shall be subject to the following customer service standards:

(1) Cable system office hours and telephone availability—

(i) The cable operator will maintain a local, toll-free or collect call telephone access line which will be available to its subscribers 24 hours a day, seven days a week.

(A) Trained company representatives will be available to respond to customer telephone inquiries during normal business hours.

(B) After normal business hours, the access line may be answered by a service or an automated response system, including an answering machine. Inquiries received after normal business hours must be responded to by a trained company representative on the next business day.

(ii) Under normal operating conditions, telephone answer time by a customer representative, including wait time, shall not exceed thirty (30) seconds when the connection is made. If the call needs to be transferred, transfer time shall not exceed thirty (30) seconds. These standards shall be met no less than ninety (90) percent of the time under normal operating conditions, measured on a quarterly basis.

(iii) The operator will not be required to acquire equipment or perform surveys to measure compliance with the telephone answering standards above unless an historical record of complaints indicates a clear failure to comply.

(iv) Under normal operating conditions, the customer will receive a busy signal less than three (3) percent of the time.

(v) Customer service center and bill payment locations will be open at least during normal business hours and will be conveniently located.

(2) Installations, outages and service calls. Under normal operating conditions, each of the following four standards will be met no less than ninety-five (95) percent of the time measured on a quarterly basis:

(i) Standard installations will be performed within seven (7) business days after an order has been placed. "Standard" installations are those that are located up to 125 feet from the existing distribution system.

(ii) Excluding conditions beyond the control of the operator, the cable operator will begin working on "service interruptions" promptly and in no event later than 24 hours after the interruption becomes known. The cable operator must begin actions to correct other service problems the next business day after notification of the service problem.

(iii) The "appointment window" alternatives for installations, service calls and other installation activities will be either a specific time or, at maximum, a four-hour time block during normal business hours. (The operator may schedule service calls and other installation activities outside of normal business hours for the express convenience of the customer.)

(iv) An operator may not cancel an appointment with a customer after the close of business on the business day prior to the scheduled appointment.

(v) If a cable operator representative is running late for an appointment with a customer and will not be able to keep the appointment as scheduled, the customer will be contacted. The appointment will be rescheduled, as necessary, at a time which is convenient for the customer.

(3) Communications between cable operators and cable subscribers—

(i) Notifications to subscribers—

(A) The cable operator shall provide written information on each of the following areas at the time of installation of service, at least annually to all subscribers, and at any time upon request:

(1) Products and services offered;

- (2) Prices and options for programming services and conditions of subscription to programming and other services;
- (3) Installation and service maintenance policies;
- (4) Instructions on how to use the cable service;
- (5) Channel positions programming carried on the system; and
- (6) Billing and complaint procedures, including the address and telephone number of the local franchise authority's cable office.

(B) Customers will be notified of any changes in rates, programming services or channel positions as soon as possible in writing. Notice must be given to subscribers a minimum of thirty (30) days in advance of such changes if the change is within the control of the cable operator. In addition, the cable operator shall notify subscribers thirty (30) days in advance of any significant changes in the other information required by paragraph (c)(3)(i)(A) of this section. Notwithstanding any other provision of Part 76, a cable operator shall not be required to provide prior notice of any rate change that is the result of a regulatory fee, franchise fee or any other fee, tax, assessment or charge of any kind imposed by any Federal agency, State or franchising authority on the transaction between the operator and the subscriber.

(ii) Billing—

(A) Bills will be clear, concise and understandable. Bills must be fully itemized, with itemizations including, but not limited to, basic and premium service charges and equipment charges. Bills will also clearly delineate all activity during the billing period, including optional charges, rebates and credits.

(B) In case of a billing dispute, the cable operator must respond to a written complaint from a subscriber within 30 days.

(iii) Refunds—Refund checks will be issued promptly, but no later than either—

(A) The customer's next billing cycle following resolution of the request or thirty (30) days, whichever is earlier, or

(B) The return of the equipment supplied by the cable operator if service is terminated.

(iv) Credits—Credits for service will be issued no later than the customer's next billing cycle following the determination that a credit is warranted.

(4) Definitions—

(i) Normal business hours—The term "normal business hours" means those hours during which most similar businesses in the community are open to serve customers. In all cases, "normal business hours" must include some evening hours at least one night per week and/or some weekend hours.

(ii) Normal operating conditions—The term "normal operating conditions" means those service conditions which are within the control of the cable operator. Those conditions which are not within the control of the cable operator include, but are not limited to, natural disasters, civil disturbances, power outages, telephone network outages and severe or unusual weather conditions. Those conditions which

are ordinarily within the control of the cable operator include, but are not limited to, special promotions, pay-per-view events, rate increases, regular peak or seasonal demand periods, and maintenance or upgrade of the cable system.

(iii) Service interruption—The term "service interruption" means the loss of picture or sound on one or more cable channels.

[58 FR 21109, Apr. 19, 1993, as amended at 61 FR 18977, Apr. 30, 1996]

Appendix C

Recommended Plant Materials List

EVERGREEN TREES			
<i>Name</i>	<i>Mature Height</i>	<i>Mature Width</i>	<i>Light Preference</i>
Austrian Pine (<i>Pinus nigra</i>)	40' to 60'	15' to 25'	Full sun
Black Hills Spruce (<i>Picea glauca 'Densata'</i>)	20' to 25'	10' to 12'	Full sun
Bristlecone Pine (<i>Pinus longaeva</i>)	20' to 25'	15' to 20'	Sun (shade intolerant)
Cologreen Juniper (<i>Juniperus scopulorum</i>)	15' to 20'	10' to 15'	Sun
Colorado Blue Spruce (<i>Picea pungens</i>)	60' to 80'	20' to 30'	Shade in youth, sun in age
Douglas Fir (<i>Pseudotsuga menziesii</i>)	50' to 80'	15' to 25'	Shade in youth, sun in age
Dwarf Alberta Spruce (<i>Picea glauca conica</i>)	6' to 8'	4' to 5'	Full to part sun
Engelmann Spruce (<i>Picea engelmannii</i>)	40' to 60'	15' to 20'	Full to part sun
Limber Pine (<i>Pinus flexilis</i>)	25' to 35'	20' to 30'	Sun
Norway Spruce (<i>Picea abies</i>)	40' to 60'	30' to 35'	Full sun
One-seed Juniper (<i>Juniperus monosperma</i>)	10' to 25'	10' to 25'	Sun
Pinyon Pine (<i>Pinus edulis</i>)	20' to 35'	10' to 15'	Sun
Ponderosa Pine (<i>Pinus ponderosa</i>)	60' to 80'	30' to 40'	Shade in youth, sun in age
Rocky Mountain Juniper (<i>Juniperus scopulorum</i>)	15' to 20'	10' to 15'	Sun
Scotch Pine (<i>Pinus sylvestris</i>)	30' to 50'	30' to 40'	Full sun
Southwestern White Pine (<i>Pinus strobiformis</i>)	35' to 50'	8' to 12'	Sun (shade intolerant)
Utah Juniper (<i>Juniperus osteosperma</i>)	Up to 20'	Up to 10'	Sun
White Fir (<i>Abies concolor</i>)	Up to 100'	20' to 30'	Full to part sun
Witchita Blue Juniper (<i>Juniperus scopulorum 'Witchita Blue'</i>)	10' to 15'	4' to 6'	Full sun

DECIDUOUS TREES			
Name	Mature Height	Mature Width	Light Preference
American Linden (<i>Tilia americana</i>)	Up to 70'	Up to 35'	Full to part sun
Autumn Blaze Maple (<i>Acer x freemanii</i>)	50' to 60'	Up to 40'	Full sun
Autumn Purple Ash (<i>Fraxinus americana 'Autumn Purple'</i>)	Up to 60'	Up to 45'	Sun to full sun
Bigtooth Maple (<i>Acer grandidentatum</i>)	20' to 30'	20' to 25'	Full sun
Bur Oak (<i>Quercus macrocarpa</i>)	70' to 80'	60' to 75'	Full sun
Catalpa (<i>Catalpa speciosa</i>)	50' to 60'	40' to 50'	Full to part sun
Dolgo Crabapple (<i>Malus 'Dolgo'</i>)	15' to 20'	10' to 15'	Full sun
English Oak (<i>Quercus robur</i>)	75' to 100'	60' to 80'	Full sun
European Mountain Ash (<i>Sorbus aucuparia</i>)	20' to 30'	15' to 20'	Full sun
European White Birch (<i>Betula pendula</i>)	40' to 60'	20' to 40'	Full sun
Green Ash (<i>Fraxinus pennsylvanica</i>)	60' to 70'	Up to 45'	Full sun
Greenspire Linden (<i>Tilia cordata 'Greenspire'</i>)	40' to 50'	35' to 40'	Full to part sun
Hackberry (<i>Celtis occidentalis</i>)	45' to 80'	40' to 50'	Full sun
Honeylocust (<i>Gleditsia triacanthos inermis</i>)	50' to 75'	35' to 50'	Full to part sun
Narrowleaf Cottonwood (<i>Populus angustifolia</i>)	50' to 70'	30' to 50'	Full sun
Northern Red Oak (<i>Quercus rubra</i>)	60' to 80'	35' to 40'	Full sun
Norway Maple (<i>Acer platanoides</i>)	40' to 60'	40' to 60'	Sun to full sun
Prairie Cascade Willow (<i>Salix 'Prairie Cascade'</i>)	30' to 40'	25' to 35'	Sun to full sun
Quaking Aspen (<i>Populus tremuloides</i>)	20' to 60'	25' to 30'	Sun
Redmond Linden (<i>Tilia americana 'Redmond'</i>)	60' to 70'	30' to 45'	Full to part sun
Rocky Mountain Maple (<i>Acer glabrum</i>)	20' to 30'	10' to 20'	Full sun to shade
Sugar Maple (<i>Acer saccharum</i>)	40' to 60'	35' to 50'	Full to part sun
English Hawthorne (<i>Crataegus laevigata</i>)	20' to 25'	15' to 25'	Full sun
Saskatoon Serviceberry (<i>Amelanchier alnifolia</i>)	10' to 20'	10' to 15'	Full to part sun
Skyline Honeylocust (<i>Gleditsia triacanthos inermis 'Skyline'</i>)	50' to 75'	35' to 50'	Full to part sun
Swamp White Oak (<i>Quercus bicolor</i>)	50' to 60'	50' to 60'	Full to part sun
Thin-Leaf Alder (<i>Alnus tenuifolia</i>)	25' to 30'	15' to 25'	Full to part sun
Weeping Willow (<i>Pendulina blanda</i>)	40' to 60'	Up to 40'	Full sun
White Oak (<i>Quercus alba</i>)	60' to 80'	60' to 80'	Full sun

ORNAMENTAL TREES			
<i>Name</i>	<i>Mature Height</i>	<i>Mature Width</i>	<i>Light Preference</i>
American Plum (<i>Prunus americana</i>)	Up to 15'	Up to 5'	Sun
Amur Maple (<i>Acer ginnala</i>)	20' to 30'	20' to 25'	Full to part sun
Blue Elderberry (<i>Sambucus caerulea</i>)	6' to 10'	5' to 8'	Sun to part shade
Bechtel Crabapple (<i>Malus 'Bechtel'</i>)	10' to 25'	10' to 25'	Full sun
Canada Red Chokecherry (<i>Prunus virginiana 'Schubert'</i>)	20' to 25'	15' to 20'	Sun to part shade
Colorado Native River Birch (<i>Betula occidentalis</i>)	40' to 50'	25' to 35'	Full to part sun
Golden Raintree (<i>Koelreuteria paniculata</i>)	30' to 40'	30' to 40'	Full sun
Netleaf Hackberry (<i>Celtis reticulata</i>)	20' to 30'	15' to 20'	Sun to part shade
New Mexico Privet (<i>Forestiera neomexicana</i>)	5' to 15'	5' to 15'	Full sun
Newport Plum (<i>Prunus cerasifera</i>)	15' to 18'	15' to 20'	Full sun
Ornamental Pears (<i>Pyrus calleryana</i>)	30' to 40'	30' to 40'	Full sun
Peachleaf Willow (<i>Salix amygdaloides</i>)	12' to 30'	12' to 30'	Full sun to part shade
Purple Leaf Sand Cherry (<i>Prunus cistena</i>)	6' to 10'	6' to 10'	Sun to part shade
Pyramidal European Hornbeam (<i>Carpinus betulus fastigiata</i>)	40' to 60'	35' to 40'	Shade to full sun
River Hawthorn (<i>Crataegus douglasii var. rivularis</i>)	15' to 30'	15' to 30'	Full to part sun
River Birch (<i>Betula nigra</i>)	40' to 50'	25' to 35'	Full to part sun
Serviceberry (<i>Amelanchier alnifolia; OR A. utahensis</i>)	20' to 25'	15' to 20'	Full to part sun
Single-leaf Ash (<i>Fraxinus anomala</i>)	8' to 12'	8' to 12'	Full sun
Silver Maple (<i>Acer saccharinum</i>)	40' to 55'	40' to 60'	Sun
Tatarian Maple (<i>Acer tataricum</i>)	15' to 20'	10' to 15'	Full sun
Thornless Cockspur Hawthorn (<i>Crataegus crus-galli inermis</i>)	Approx. 15'	Approx. 20'	Full to part sun
Water Birch (<i>Betula occidentalis</i>)	20' to 30'	15' to 20'	Sun to part shade
Yellow Willow (<i>Salix lutea</i>)	10' to 20'	10' to 20'	Full to part sun

SHRUBS			
Name	Mature Height	Mature Width	Light Preference
Alder-leaf Mountain Mahogany (<i>Cercocarpus montanus</i>)	4' to 6'	4' to 6'	Sun
Alleghany Viburnum (<i>Viburnum rhytidophylloides</i>)	10' to 15'	10' to 15'	Full sun to full shade
Alpine Currant (<i>Ribes alpinum</i>)	3' to 6'	3' to 6'	Full sun
Amur Maple, Dwarf and Standard (<i>Acer ginnala</i>)	7' to 9'	7' to 8'	Sun
Antelope Bitterbrush (<i>Prushia tridentata</i>)	6' to 8'	2' to 6'	Sun
Apache Plume (<i>Fallugia paradoxa</i>)	Up to 5'	Up to 5'	Sun
Arborvitae (<i>Thuja spp.</i>)	25' to 40'	10' to 12'	Full to part sun
Bailey Redtwig Dogwood (<i>Cornus sericea 'Baileyi'</i>)	6' to 8'	6' to 8'	Sun and shade
Big Sagebrush (<i>Artemisia tridentata</i>)	1' to 12'	5' to 8'	Sun
Black Chokecherry (<i>Aronia melanocarpa</i>)	3' to 5'	3' to 6'	Full sun to part shade
Bottlebrush, white (<i>Cimicifugia simplex</i>)	5' to 6'	2' to 3'	Full sun to part shade
Chokecherry (<i>Prunus virginiana</i>)	10' to 15'	8' to 10'	Sun
Cliffrose (<i>Cowania mexicana</i>)	Up to 5'	3' to 4'	Sun
Columnar Buckthorn (<i>Rhamnus frangula 'Columnaris'</i>)	12' to 15'	3' to 4'	Sun
Common Juniper (<i>Juniperus communis</i>)	Up to 3'	8' to 10'	Sun or shade
Common Lilac (<i>Syringa vulgaris</i>)	8' to 15'	6' to 12'	Full sun
Corymb Buckwheat (<i>Eriogonum corymbosum</i>)	2' to 4'	2' to 4'	Sun
Cotoneaster (<i>Cotoneaster sp.</i>)	2' to 3'	4' to 5'	Sun
Cranberry Bush (<i>Viburnum trilobum</i>)	5' to 6'	4' to 5'	Sun to shade
Creeping Mahonia (<i>Mahonia repens</i>)	Up to 1'	3' to 4'	Sun to shade
Creeping Thyme (<i>Thymus serpyllum</i>)	Up to 3"	1' to 3'	Sun to light shade
Curl-leaf Mountain Mahogany (<i>Cercocarpus ledifolius</i>)	8' to 12'	8' to 12'	Sun
Deerbrush (<i>Ceanothus fendleri</i>)	Up to 3'	Up to 3'	Sun to part sun
Dorr Sage (<i>Salvia dorrii</i>)	1' to 2.5'	2' to 3'	Full sun
Doublefile Viburnum (<i>Viburnum plicatum tomentosum</i>)	8' to 10'	8' to 12'	Full sun to part shade
Dwarf Arctic Willow (<i>Salix purpurea nana</i>)	Up to 5'	Up to 5'	Sun
Fernbush (<i>Chamabatiaria millefolium</i>)	2.5' to 5'	2.5' to 5'	Sun
Forsythia (<i>Forsythia spp.</i>)	Up to 5'	Up to 5'	Sun
Fourwing Saltbush (<i>Atriplex canescens</i>)	Up to 4'	Up to 6'	Sun
Fremont Mahonia (<i>Mahonia fremontii</i>)	5' to 10'	5' to 10'	Sun
Gambel Oak (<i>Quercus gambelii</i>)	15' to 25'	15' to 20'	Sun
Golden Currant (<i>Ribes aureum</i>)	4' to 6'	3' to 5'	Sun
Green Ephedra (<i>Ephedra viridis</i>)	2' to 4'	2' to 4'	Full sun

Greenleaf Manzanita (<i>Arctostaphylos patula</i>)	5' to 6'	8' to 10'	Sun
Hancock Coralberry (<i>Symphoricarpos chenaultii</i>)	3' to 5'	4' to 6'	Full to part sun
Harriman Yucca (<i>Yucca harrimaniae</i>)	Up to 3'	Up to 3'	Sun
Honeyrose Honeysuckle (<i>Lonicera 'Honeyrose'</i>)	10' to 15'	10' to 15'	Full sun
Japanese Barberry (<i>Berberis thunbergii</i>)	Up to 4'	4' to 6'	Full sun
Japanese Quince (<i>Chaenomeles lagenaria</i>)	Up to 9'	Up to 15'	Full sun to full shade
Kinnikinnick (<i>Arctostaphylos uva-ursi</i>)	Up to 6"	5' to 6'	Shade to part shade
Littleleaf Mockorange (<i>Philadelphus microphyllus</i>)	Up to 6'	Up to 4'	Sun
Mallow-leaved Ninebark (<i>Physocarpus malvaceus</i>)	3' to 6'	3' to 4'	Shade to part sun
Mountain Snowberry (<i>Symphoricarpos oreophilus</i>)	2' to 5'	3' to 5'	Full sun to part shade
Mountain Spray (<i>Holodiscus dumosus</i>)	3' to 12'	5' to 10'	Sun
Nannyberry (<i>Viburnum lentago</i>)	12' to 15'	6' to 10'	Full sun to shade
Native Squaw (<i>Ribes cereum</i>)	4' to 6'	4' to 6'	Sun
Ninebark (<i>Physocarpus monogynus</i>)	8' to 10'	8' to 10'	Full sun to part shade
Oakbrush Sumac (<i>Rhus trilobata</i>)	3' to 4'	5' to 6'	Full sun to part shade
Oregon Grape Holly (<i>Mahonia aquifolium</i>)	3' to 6'	3' to 6'	Part shade
Peking Cotoneaster (<i>Cotoneaster lucidus</i>)	6' to 10'	6' to 10'	Full sun to part shade
Prairie Sagewort (<i>Artemisia ludoviciana</i>)	1' to 3'	2' to 4'	Sun
Red-osier Dogwood (<i>Cornus sericea</i>)	6' to 8'	6' to 8'	Sun or shade
Regent Serviceberry (<i>Amelanchier alnifolia 'Regent'</i>)	Up to 6'	4' to 5'	Sun or shade
Rock Cotoneaster (<i>Cotoneaster horizontalis</i>)	5' to 6'	6' to 8'	Full to part shade
Rock Spiraea (<i>Petrophytum caespitosum</i>)	3" to 6"	2' to 3'	Sun to shade
Rocky Mountain Sumac (<i>Rhus glabra cis-montana</i>)	9' to 15'	9' to 15'	Sun to part shade
Rubber Rabbitbrush (<i>Chrysothamnus nauseosus</i>)	4' to 6'	4' to 6'	Sun
Russian Sage (<i>Perovskia atriplicifolia</i>)	3' to 5'	3' to 5'	Full sun
Sand Sage (<i>Artemisia filifolia</i>)	Up to 3'	3' to 6'	Sun
Shadscale (<i>Atriplex confertifolia</i>)	Up to 3'	Up to 3'	Sun
Shrub Roses (<i>Rosa</i> sp.)	Up to 3'	1' to 3'	Sun to part shade
Shrubby Cinquefoil (<i>Potentilla fruticosa</i>)	1' to 4'	2' to 4'	Sun
Siberian Peashrub (<i>Caragana arborens</i>)	Up to 20'	10' to 15'	Full sun
Silver Buffaloberry (<i>Shepherdia argentea</i>)	6' to 12'	6' to 10'	Sun
Silver Sagebrush (<i>Artemisia cana</i>)	Up to 3.5'	2' to 3'	Sun
Smooth Sumac (<i>Rhus glabra</i>)	3' to 5'	3' to 4'	Sun
Snowball (<i>Viburnum opulus</i>)	Approx. 10'	Approx. 10'	Full sun to part shade
Snowberry (<i>Symphoricarpos albus</i>)	3' to 4.5'	4' to 6'	Sun
Squaw Apple (<i>Peraphyllum ramosissimum</i>)	1.5' to 5'	1.5' to 5'	Sun

Squaw Currant (<i>Ribes cereum</i>)	4' to 6'	4' to 6'	Sun
Sweet Mockorange (<i>Philadelphus coronarius</i>)	8' to 10'	5' to 10'	Full sun to light shade
Three Leaf Sumac (<i>Rhus trilobata</i>)	Up to 3'	Up to 8'	Sun to part shade
Turkish Veronica (<i>Veronica liawensis</i>)	1' to 2'	1' to 2'	Full sun to part shade
Twinberry Honeysuckle (<i>Lonicera involucrate</i>)	Up to 9'	8' to 10'	Shade
Utah Serviceberry (<i>Amelanchier utahensis</i>)	10' to 12'	8' to 10'	Sun to part shade
Vanhoutt Spirrea (<i>Spiraea vanhouttii</i>)	6' to 8'	Up to 12'	Full sun to light shade
Waxflower (<i>Jamesia americana</i>)	Up to 6'	Up to 4'	Sun
Western Sand Cherry (<i>Prunus besseyi</i>)	3' to 6'	3' to 6'	Partial shade
Western Thimbleberry (<i>Rubus parviflorus</i>)	Up to 4'	3' to 4'	Shade
Winged Euonymus or Burning Bush (<i>Euonymus alatus</i>)	Up to 10'	Up to 10'	Full sun to full shade
Winterfat (<i>Ceratoides lanata</i>)	Up to 2.5'	Up to 2.5'	Full sun
Wood's Rose (<i>Rosa woodsii</i>)	4' to 6'	3' to 5'	Sun to part shade
Yellow-flowering Currant (<i>Ribes aureum</i>)	3' to 10'	3' to 10'	Sun
Yellow-twig Dogwood (<i>Cornus sericea</i> 'Flaviramea')	7' to 9'	6' to 10'	Full sun to part shade

(Ord. 27 §1, 2004)