

2020 TOWN OF TELLURIDE, COLORADO
ACKNOWLEDGMENT, RELEASE AND WAIVER OF RIGHTS FOR
TOWN OF TELLURIDE QUASI-JUDICIAL PUBLIC HEARINGS USING REMOTE PARTICIPATION

THIS DOCUMENT MUST BE SIGNED AND NOTARIZED BY AN APPLICANT BEFORE A QUASI-JUDICIAL HEARING WILL OCCUR USING REMOTE PARTICIPATION

In consideration of proceeding with a Quasi-Judicial Public Hearing, during a Local Disaster Emergency due to the outbreak of the COVID-19 disease when in person meetings and gatherings are prohibited under applicable law, on my land use application for my property address listed below, which is currently pending before the Town of Telluride, I voluntarily enter into this agreement and acknowledge and agree to all of the following:

I knowingly and willingly make a formal request herein by execution of this document, and elect to proceed forward with my Quasi-Judicial Public Hearing, to use the remote participation technology available to the Town of Telluride for my pending Quasi-Judicial Public Hearing and fully understand that Town Board/Commission/Council participation, Town Staff participation, public participation and all participation by Applicant will be solely through the use of a remote meeting participation platform, such as, but not limited to, Zoom meeting technology.

I hereby understand that I have the option and legal right to defer my Quasi-Judicial Public Hearing at this time and that all applicable timelines and restrictions governing my application would otherwise be tolled while my Quasi-Judicial in-person Public Hearing could not occur.

I acknowledge and knowingly waive any objections I may have that such remote meeting participation may or may not comply with applicable State of Colorado statutes or Town of Telluride municipal law or Town Charter provisions as to conducting remote meetings on Quasi-Judicial matters.

I acknowledge and knowingly waive any objections, legal challenges and any and all rights to legally challenge any procedural irregularities associated with any aspect of using the Town’s remote participation technology for my Quasi-Judicial Public Hearing, including, but not limited to, challenges under Colorado Rules of Civil Procedure Rule 106(a)(4) or as to 42 U.S.C. Sections 1983 or 1988.

I acknowledge and knowingly agree that any and all exhibits or displays or use of information that I, as the Applicant, or any of my representatives wish to share or present to the Town Board/Commission/Council, including the “shared screen” format for Zoom, must either have been presented in advance of the public hearing as part of my application materials or must be capable of immediate and remote sharing with all Town Board/Commission/Council members, the Town Recording Clerk, and all members of the public participating in the Quasi-Judicial Public Hearing; failure on my part to provide this material in advance or failure to have the ability to share the information during the meeting with all participants may result in the exclusion of the materials for consideration during the Quasi-Judicial Public Hearing.

I acknowledge and knowingly agree that any Town decisions as a result of the Quasi-Judicial Public Hearing on my application may also be subject to challenge by private parties, government agencies, and affected or aggrieved persons having standing to challenge such decision. I agree to indemnify and hold harmless the Town of Telluride, Colorado, its boards and commission, staff, and appointed and elected officials, as to any and all claims that arise solely from using remote participation for my Quasi-Judicial Public Hearing and further agree to pay any and all reasonable attorneys’ fees and costs incurred by the Town in defending any decision of the Town utilizing remote participation related to my Quasi-Judicial Public Hearing but only as to those claims and legal challenges concerning using remote participation for my Quasi-Judicial Public Hearing. Finally, I fully understand the risks and costs of litigation and have independently assessed these risks and costs and choose to proceed with my Quasi-Judicial Public Hearing using Town remote participation.

Signature: _____	Date: _____
Name: _____	Phone: _____
Physical Address: _____	
Mailing Address: _____	

STATE OF _____)
) ss
COUNTY OF _____)

The foregoing “2020 Town Of Telluride, Colorado Acknowledgment, Release And Waiver Of Rights For Town Of Telluride Quasi-Judicial Public Hearings Using Remote Participation” was acknowledged before me this ____ day of _____, 2020, by: ____.

WITNESS my hand and official seal.

My commission expires: _____

Notary Public