



**MONUMENT TOWN COUNCIL
STUDY SESSION & REGULAR MEETING AGENDA
MONDAY, JANUARY 5, 2026 – 5:30 PM**

Monument Town Hall - Council Chambers
645 Beacon Lite Road - Monument, CO 80132

[Participate Via Microsoft Teams](#)

Participate Via Telephone 719-300-6099 ID 431 782 696#

1. Study Session Starting at 5:30 PM:

- a. Review Draft of Title 8 Repeal and Readoption Ordinance

2. Call Regular Meeting to Order at 6:30 PM, Pledge of Allegiance, Roll Call:

3. Disclosures of Conflicts of Interest:

- a. Disclosures of Potential Conflicts of Interest
- b. Vote on Excluding Council Members With Potential Conflicts of Interest From Consideration, Discussion and Voting on Identified Matters

4. Approval of the Consent Agenda:

- a. Agenda - January 5, 2026
- b. Meeting Minutes - December 15, 2025

5. Recognition:

- a. Employees of the Year - (*Madeline VanDenHoek*)

6. Presentations:

- a. Strategic Plan - (*John Trylch*)

7. Ordinances: *Public Hearing(s) Required*

- a. Ordinance No. 22-2025 - An Ordinance Granting Approval of the Final Planned Unit Development for Santa Fe Business Park, Lot 2 Terrazzo-Baja Commercial Development, Located at the Northwest Corner of Terrazzo Drive and La Campana Drive - (*Dan Ungerleider*)
- b. Ordinance No. 01-2026 - An Ordinance Amending Chapter 18.03.110 of the Municipal Code to Reference the Approved Official Zoning Map by a Date Certain - (*Dan Ungerleider*)

8. Resolutions:

- a. Resolution No. 01-2026 - A Resolution Re-Appointing Members Peterson, Parr, and Baumer to the Town of Monument Planning Commission - (*Dan Ungerleider*)
- b. Resolution No. 02-2026 - A Resolution Authorizing Filing of a Petition for the Annexation of the Town of Monument Water Tank Site - (*Madeline VanDenHoek*)
- c. Resolution No. 03-2026 - A Resolution Adopting a 2026 Legislative Platform - (*Jennifer Phillips*)

9. Public Comments For Items Not on the Agenda: *Individuals attending in person may raise their hand to indicate their desire to comment. Individuals attending via Teams may "raise their hand" digitally to comment via connected devices. Please lower your hand when finished with your comments. Comments are limited to 3 minutes.*

10. Future Agenda Item Authorization:

11. Council Comments:

12. Adjournment:

MEMORANDUM

January 5, 2025

TO: Town of Monument Town Council

FROM: Ashley Hernandez-Schlagel



RE: Revisions to Title 8 of the Municipal Code

Purpose: To update this portion of the Code to conform with current Town policies and goals and to ensure that the provisions therein are consistent with revisions to other Titles.

Primary Issues for October 6th Discussion:

- Whether Council agrees that the various nuisance enforcement provisions should be incorporated into Title 2, particularly 2.36.500 and 2.36.600, which details all municipal court related enforcement provisions. Staff recommends this occur in order to maintain consistency and for purposes of efficiency.
 - Status - Discussed during October 2025 study session. This has been included in Title 8 but there needs to be an associated amendment to Title 2 to include all of Title 8.
- 8.04.080(E) – whether Council agrees that the Town should not be responsible for property damage that occurs as a result of reasonable force needed to gain entry to property in which a nuisance is present. Staff recommends that language be added that the Town will not be responsible for such property damage.
 - Status – Discussed during October 2025 study session. Revised language has been included in Title 8, but Council should verify that the language is acceptable.
- 8.08.170(B) & 8.30.070(C)(1) – whether fees for reinspection should remain at \$100 or whether they should be increased. Staff recommends making such fees consistent with other Town fee schedules.
 - Status – Discussed during October 2025 study session. This has been revised in Title 8, but staff needs to verify that there is a fee referenced in the Town’s fee schedule related to these inspection issues.
- 8.12.050 – whether Council wants to leave the number of vehicles that could otherwise be deemed a nuisance on private property or increase/decrease that number.

- Status – Discussed during the October 2025 study session, but need to confirm the number Council finds appropriate.
- 8.12.061 – whether council wants to maintain that conex boxes and/or shipping containers may be deemed a nuisance even though the Town utilizes conex boxes on its property for purposes of storage. Staff recommends that this language be modified to exclude conex boxes at this time given the Town’s use of same.
 - Status – Discussed during the October 2025 study session. Revised language included to exempt the use of conex boxes and just include shipping containers. Council may want to consider defining what a conex box is versus a shipping container to avoid any confusion related to that issue.
- 8.28.010(B) – whether owners of land in its natural state should be required to abate weeds that are deemed a nuisance or whether there should be an exception to such property. Staff is consulting with the fire department further on this matter.
 - Status – Discussed during the October 2025 study session. This has been taken out as it is sufficiently included in 8.28.030.
- 8.36.040 – seven days appears arbitrary, would Council like to change that number? Staff recommends 2-3 days.
 - Status – Discussed briefly during the October 2025 study session. Currently revised to include a 3-day period, but Council needs to confirm.
- 8.36.060 – Should these types of permits be considered and/or issued? If so, should additional information be provided such as permit fees, penalties for violating the permit or that permits will be issued on a first come/first serve basis? Staff is further considering its recommendations related to this Section.
 - Status – Discussed briefly during the October 2025 study session. No changes made as Council did not consider substantively at the last study session.

**TOWN OF MONUMENT
ORDINANCE NO. _-2025**

**AN ORDINANCE REPEALING AND READOPTING
TITLE 8 OF THE MONUMENT MUNICIPAL CODE**

WHEREAS, the Town of Monument (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town’s Home Rule Charter approved by the electors on November 8, 2022 (“Charter”); and

WHEREAS, the Members of the Town Council (“Council”) have been duly elected and qualified; and

WHEREAS, the Council has determined that it is necessary to repeal and readopt Title 8 of the Monument Municipal Code (“Code”) to bring it into conformance with the Charter and provide general updates; and

WHEREAS, this Ordinance was introduced by title, considered at a public hearing, and voted upon at the regular meeting of the Town Council on **_, 2025**

**THE TOWN COUNCIL OF THE TOWN OF MONUMENT, COLORADO,
ORDAINS:**

Section 1. Incorporation. The recitals set forth above are incorporated and ordained as if set forth in this section in full.

Section 2. Repeal and Readopt Title 8 of the Monument Municipal Code. Title 8 of the Code as set forth in Exhibit A, attached hereto and incorporated herein, is repealed and readopted with underlined text being added and stricken text being deleted.

Section 3. Publication. Pursuant to Section 6.5, 3 of the Charter and Subsection 2.04.030, G of the Code, upon approval, this Ordinance shall be published on the Town’s official website in full for not less than ten (10) days.

Section 4. Authentication and Filing. Upon passage, this Ordinance shall be authenticated by the Mayor and Town Clerk and maintained by the Town Clerk in such form as is sufficient to assure reasonable access by the public. Failure to authenticate any ordinance shall not invalidate it or suspend its operation.

Section 5. Effective Date. This Ordinance shall become effective and be in full force and effect ten (10) days after final publication.

Section 6. Severability. If any portion of this Ordinance or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portions of application of the ordinance which can be given effect without the invalid portion or application, provided such remaining portions or applications are not determined by the court to be inoperable.

INTRODUCED, PASSED, and ADOPTED/REJECTED, by the Town Council of the Town of Monument Colorado this ____ day of _____ 2025 by a vote of ____ for and _____ against.

TOWN OF MONUMENT, COLORADO

By: _____
Mitch LaKind, Mayor

Attest:

Tina Erickson, Town Clerk

**EXHIBIT A
TO ORDINANCE NO. _-2025**

Title 8

HEALTH AND SAFETY

Chapter 8.04 NUISANCES GENERALLY

8.04.010 Nuisance defined.

~~Anything which is injurious to the health or morals or indecent or offensive to the senses or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property is declared a nuisance and as such shall be abated.~~ Nuisance shall mean any of the following:

- A. ~~Conducting or maintaining any business, occupation, activity, building, land, or premises prohibited by State statute or this Code.~~
- B. ~~Continuously or repeatedly conducting or maintaining any business, occupation, operation, activity, building, land, or premises in violation of State statute or this Code;~~
- C. ~~Any building, structure, or land open to or used by the general public, the continuous use or condition of which presents a substantial danger or hazard to the health, safety, or welfare of the community.~~
- D. ~~Any unlawful pollution or contamination of any surface or subsurface waters in the Town, or of the air or any water, substance, or material intended for human consumption.~~
- E. ~~A thing, act, failure to act, occupation, activity, condition, or use of any building, land, substance, or property which otherwise constitutes, is known as, or declared a nuisance by virtue of common law, State statute, or this Code.~~
- F. ~~Any activity, operation, or condition which, after being ordered abated, corrected, or discontinued by lawful order of any Town department or officer, continues to be conducted or exist in violation of any statute, this Code, or any Town, county, or State regulation.~~
- G. ~~Any activity, operation, condition, building, structure, place, premises, or thing injurious to the health or safety of the Town citizens, or offensive to the senses so as to interfere with the comfortable enjoyment of life or property.~~
- H. ~~Any nuisance defined or declared as such by State statute or this Code.~~
- I. ~~Any dilapidated building of whatever kind which is unused by the owner, or uninhabited because of deterioration or decay, which condition constitutes a fire hazard or subjects adjoining property to danger or damage by storm, soil erosion,~~

or rodent infestation, or which becomes a place frequented by trespassers and transients seeking temporary hideout or shelter.

J. Any building or structure, or any portion of the building or structure, which is unsafe or unfit for use or occupancy because it has been constructed, exists, is used, or is maintained in violation of any applicable building or structural requirements or restrictions under the building codes as adopted by the Town.

A.K. Any building or structure in a condition that is unsanitary, a fire, life, or safety hazard, or likely to cause sickness or disease because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, or lack of sufficient fire-resistive construction, fire protection systems and connections, electrical systems and connections, fuel connections, or mechanical or plumbing systems and connections.

8.04.020 ~~County Health Department powers~~Reserved.

~~The County Health Department has the full power to take all measures necessary to promote the health and cleanliness, to abate all nuisances of every description on public and private property; to prevent the introduction of or spreading within the Town of malignant, contagious and infectious diseases and to remove, detain, isolate or quarantine any person or persons attacked by or having any such disease, or having been exposed thereto; to promulgate such rules and regulations as may be necessary to perform its functions. The County Health Department shall have the authority to enforce such rules of the Health Department of the state as are applicable to particular situations.~~

8.04.030 ~~Notice to abate~~Nuisances prohibited.

A. It shall be a violation of this Chapter for a person to do any of the following:

1. Do any act which constitutes a nuisance.
2. Create, operate, maintain, or conduct any nuisance.
3. Knowingly fail to act where such failure causes or continues a nuisance.
4. Permit or encourage any activity or condition constituting a nuisance.
5. Permit, encourage, aid, or abet in creating or maintaining a nuisance.
6. Interfere with, prevent, or attempt to interfere with or prevent abatement of any nuisance by a Town officer, employee, or agent acting pursuant to the provisions of this Chapter.

B. The prohibitions of this Chapter are subject to enforcement may be enforced under Title 2 and particularly, 2.36.500 and 2.36.600 of this Code.

C. Every period of 48 hours ~~continuance of~~ a nuisance continues after due notice has been given to abate the same shall be deemed a separate offense. Any state of things prohibited by this chapter shall be deemed a nuisance and any person who shall hereafter make or cause such nuisance to exist shall be deemed the author thereof; provided, that any person who shall have possession or control of any private ground or premises, whether that person is the owner thereof or not, in or upon which any such nuisance shall exist or may be found, whether such nuisance has

been heretofore or shall be hereafter created, shall be deemed guilty of a separate offense, as the author of a nuisance, for every period of forty-eight (48) hours continuance of such nuisance after due notice given to abate the same. The written notice of forty-eight (48) hours may be given and served by the police chief or other officers as the chief may designate.

8.04.040 ~~Declaration of nuisance by board~~Reserved.

In the event that any such nuisance within or upon any private premises or grounds is not abated forthwith after the notice herein provided shall be given, the board of trustees (hereinafter called "board") may declare the same to be a nuisance and order the police chief to abate the same, which order shall be executed without delay; and the police chief shall have the authority to call for the necessary assistance therefor.

8.04.050 ~~Abatement without notice~~Reserved.

In such case of any such nuisance in or upon any street, avenue, alley, sidewalk, highway or public grounds in the Town, the police chief or board may abate the same forthwith without such notice given.

8.04.060 Assistance to abate authorized.

Any officer ~~who shall be~~ duly authorized to abate any nuisance ~~specified in this chapter~~ shall have the authority to engage the necessary assistance, and incur the necessary expenses thereof.

8.04.070 ~~Recovery of expenses~~Reserved.

The expense incurred by the Town in abating any nuisance may be recovered back by proper action from the creator thereof.

8.04.080 Authority to enter on property.

The mayor, police chief, trustees, or any other persons who may be directed or deputized by the board of trustees may enter upon or into any lot, house, or other building or premises, with proper respect for the occupant's constitutional rights, to examine the same and to ascertain whether any such nuisance exists, and shall be free from any action or liability on account thereof.

- A. The Town Manager shall have the power and authority to appoint and authorize any police officer, building inspector, code enforcement officer, engineering inspector, Planning Department employee, or other Town officer to inspect and examine any public or private property in the Town to ascertain the nature and existence of any nuisance.
- B. When an inspection is made under this Chapter, or when an authorized inspector has reasonable cause to believe a nuisance exists in any building or upon any premises, the authorized inspector may enter such building or premises at all reasonable times to inspect the same or perform any duty imposed on them, provided that:
 1. If such building or premises is occupied, the authorized inspector shall first present proper credentials and request entry.

2. If such building or premises is unoccupied, the authorized inspector shall first make a reasonable effort to locate the owner, occupant, or other person(s) having charge or control of the building or premises, and present proper credentials and request entry if they locate the owner, occupant, or other person(s).
- C. If entry is refused, or if the owner or occupant cannot be located after a reasonable effort, the authorized inspector shall leave at the building a written notice of intention to inspect not sooner than 24 hours after the time specified in the notice. The notice given to the owner or occupant or left on the premises shall state that the property owner has the right to refuse entry and that in the event of such refusal, inspection may be made only upon issuance of a search warrant by the Municipal Judge, or by a judge of any other court with jurisdiction.
- D. The requirements of this Section shall not apply to public places ~~or privately owned vacant land~~ which may be inspected by an authorized inspector at any time without notice.
- E. After expiration of the 24-hour notice period, the authorized inspector may appear before the Municipal Judge and, upon a showing of probable cause by written affidavit, shall obtain a search warrant entitling authorized inspectors to enter the building or upon the premises. Upon presenting the search warrant and proper credentials, or possession of the same in the case of an unoccupied building or premises, the authorized inspector may enter into the building or upon the premises using such reasonable force as necessary to gain entry. The Town shall not be responsible for compensating the property owner for any damage caused to the building or upon the premises as a result of any reasonable force used to gain entry.
- F. For purposes of this Section, determining probable cause shall be based upon reasonableness. If a valid public interest and reasonable suspicion of violation justify the contemplated intrusion, there is probable cause to ~~seek issue~~ a search warrant. The person applying for such warrant shall not be required to demonstrate specific knowledge of the condition of the particular structure or premises at issue to obtain a search warrant but must show some factual or practical circumstances that would cause an ordinarily prudent person to act. It is unlawful for any owner or occupant of the building or premises to deny entry to any authorized inspector with a warrant or to resist reasonable force used by an authorized inspector with a warrant acting pursuant to this Section.
- G. If an emergency exists or law enforcement determines there are exigent circumstances regarding enforcement of any of this Chapter's provisions, an authorized inspector may enter any building or upon any premises within the Town's jurisdiction after presenting proper credentials.
1. If the building or premises is occupied, an authorized inspector shall present their credentials to the owner or occupant of the building or premises. If the building or premises is unoccupied, the authorized inspector must possess the requisite credentials before entering.

Commented [AH1]: Verify this language is acceptable per Council prior direction.

2. In an emergency or pursuant to exigent circumstances, an authorized inspector may use such reasonable force as necessary to enter the building or premises.
3. An emergency and/or exigent circumstances includes any situation where there is imminent danger of loss of, or injury or damage to, life, limb, or property, or where there is an illicit discharge or in any case where law enforcement determines there is an urgent need to act. It is unlawful for any owner or occupant of a building or premises to deny entry to any authorized inspector or to resist reasonable force used by the authorized inspector in gaining such entry.

H. Any Municipal Judge may issue search warrants upon a showing of probable cause as provided in Subsection (F).

Chapter 8.08 NUISANCES SPECIFICALLY

8.08.010 ~~Unwholesome business prohibited~~Reserved.

~~Offensive or unwholesome businesses or establishments are prohibited. From and after the effective date of this code, it is unlawful for any person of any kind to allow or suffer on his or her premises or any premises which he or she is entitled to possess any offensive or unwholesome business or establishment within the Town, or within one mile beyond the outer limits of the Town as such outer limits are now, or may be hereafter, constituted.~~

8.08.020 Discharge of noxious liquids.

It is unlawful and deemed a nuisance to discharge out of or from, or permit to flow from any house or place in the Town, foul or noxious liquid or substance of any kind whatsoever, into or upon any adjacent ground or lot, ~~or~~ into any street, alley, or public place, or into any municipal storm sewer system in the Town. Any unclean, leaking, foul, unsafe, or dangerous, defective, or filthy drain, ditch, trail, or gutter, or any leaking or broken slop, garage, or manure box or receptacle of like character, whenever or wherever found in the Town is unlawful and deemed a nuisance. It is unlawful and deemed a nuisance for any property owner to apply or use any herbicide, pesticide, insecticide, rodenticide, disinfectant, fumigant, or other harmful chemical, gas, or vapor upon their property in such a manner that the harmful chemical, gas, or vapor leaches, escapes, migrates, or flows from their property and deposits in or on any other public or private property.

8.08.030 ~~Stale matter~~Offensive locations.

- A. Any cellar, vault, drain, sewer, pond of water, or other place in the Town that is noxious or offensive to others, or injurious to public health through accumulation or deposition of noxious, offensive, or foul water or other substances, or conducive to breeding mosquitos is unlawful and deemed a nuisance.
- B. Excavations deeper than five feet, cisterns, wells, and excavations used for storing water within the Town are unlawful and deemed a nuisance unless the same are adequately covered with a locked lid, other covering weighing at least 60 pounds, or securely fenced with a solid fence at least five feet high. It is unlawful for any person to permit such nuisance to remain on premises owned or occupied by that person.

- C. ~~It is unlawful~~ and deemed a nuisance to keep, collect, ~~or use,~~ or cause to be kept, collected, or used in ~~the~~ this Town; any stale, putrid, or stinking fat, ~~or grease,~~ or other matter.
- D. ~~It is unlawful and deemed a nuisance to deposit in or throw into, or permit to be deposited in, or thrown into, any sewer, sewer inlet, or privy vault that has a sewer connection any article whatsoever that might cause such sewer, sewer inlet, or privy vault to overflow, back up, or otherwise become noxious, offensive to others, or injurious to the public health, safety, or general welfare of the Town residents.~~
- E. ~~It is unlawful and deemed a nuisance to fail to maintain the condition of a property or improvement so as to prevent disrepair and present a neat, orderly appearance.~~
- F. ~~No slaughterhouse or other place for slaughtering animals shall be kept within the Town.~~

8.08.040 ~~Sewer inlet~~Reserved.

~~It is unlawful to deposit in or throw into any sewer, sewer inlet, or privy vault that shall have sewer connection, any article whatsoever that might cause such sewer, sewer inlet, or privy vault to become nauseous or offensive to others or injurious to public health.~~

8.08.050 ~~Slaughterhouse~~Reserved.

~~No slaughterhouse or other place for slaughtering animals shall be kept within this Town.~~

8.08.060 Dead animals—Removal.

~~When any animal shall dies in ~~the~~ this Town, it shall be the duty of the owner or keeper thereof to ~~shall~~ remove the body of such animal forthwith beyond ~~the Town~~ limits of the Town. If such body ~~shall is~~ not forthwith ~~be~~ removed, the same shall be deemed a nuisance, ~~and such owner or keeper shall cause a nuisance to exist.~~ When the body of ~~any such~~ dead animal ~~shall be is~~ in the Town street, highway, or public grounds ~~in this Town, it a Town employee or Police Chief shall be the duty of the police chief to~~ cause such body to be removed forthwith beyond ~~the Town~~ limits of the Town.~~

8.08.070 ~~Stagnant ponds~~Reserved.

~~Any cellar, vault, drain, sewer, pond of water, or other place, upon or within any private premises or grounds, in this Town, that shall be nauseous or offensive to others, or injurious to public health, through an accumulation or deposition of nauseous, offensive, or foul water, or other substances, shall be deemed a nuisance. This applies in all cases for which no other specific provisions are made in this chapter or any ordinance of the Town.~~

8.08.080 ~~Open wells, cisterns or excavations~~Reserved.

~~It is declared that excavation exceeding five feet in depth, cisterns and wells, or an excavation used for storage of water, are public nuisances unless the same are adequately covered with a locked lid, or other covering weighing at least sixty (60) pounds or are securely fenced with a solid fence to a height of at least five feet and it shall be unlawful for any person to permit such nuisance to remain on premises owned or occupied by that person.~~

8.08.090 Noise-making devices to attract children.

The use of bells, whistles, sirens, music horns, or any other noise-making devices ~~for the purpose of to~~ attracting children or minors to any vehicle upon the Town streets, highways, rights-of-way, alleys, or public ways ~~of the Town~~ for the purpose of selling, distributing, or giving away any product ~~whatsoever~~, to such minors, is unlawful and declared ~~deemed to be a public nuisance and hazard and is expressly prohibited and is unlawful~~, excepting such activities carried on as part of duly authorized public parades or processions.

8.08.100 Handbills, posters, and placards.

Any handbill, poster, placard, or painted or printed matter ~~which shall be~~ stuck, posted, or pasted ~~up~~ upon any public or private house, store, or other buildings, or ~~up~~ upon any fence, power pole, telephone pole, or other structure, without the owner, agent, or occupant's permission ~~of the owner, agent, or occupant of the house, shall be~~ is unlawful and deemed a nuisance.

8.08.110 Purpose—Graffiti.

The purpose of ~~this the following subsections~~ is to protect the health, safety, and welfare of all ~~the Town~~ citizens ~~of the Town~~ by eliminating the proliferation of graffiti within the Town, as graffiti creates a condition of blight within the Town and contributes to ~~the~~ deterioration of neighborhoods, ~~the~~ depreciation of property values, and increases in criminal activity.

8.08.120 Definitions.

“Graffiti” means any writing, word, initials, slogan, symbol, figure, design, drawing, or other inscribed material scratched, sketched, written, sprayed, painted, or otherwise applied ~~illicitly without the prior permission of the property owner~~ to any interior or exterior surface of a permanently fixed object.

“Permanently fixed object” means ~~any~~ object affixed to or attached to real property within the Town, or the real property itself, if the object is not designated for or is incapable of being readily removed from the real property. This includes, but is not limited to, ~~;~~ private homes, duplexes, apartments, business establishments, buildings, sheds, garages, parking structures, retaining walls, rocks, bridges, fences, gates, posts, trees, telephone poles, utility boxes, street signs, sidewalks, garbage dumpsters, signs, ~~and~~ billboards.

8.08.130 Graffiti prohibited.

~~It shall be unlawful for Aa person to shall not write, paint, draw, or otherwise inscribe or mark of the type which is commonly known and referred to as graffiti any interior or exterior surface of a permanently fixed object upon any permanently fixed object or other structure, or other real or personal property either publicly or privately owned within the Town.~~

8.08.140 Entrance by Police or designee.

~~If a Police Officer or their designee observes Upon detecting the existence of~~ graffiti ~~upon~~ private property, within the Town which is visible from any area open to the public, ~~a Police Officer or designee that person~~ may, at any reasonable hour, take reasonable measures to document the existence ~~and nature~~ of the graffiti and determine the ownership of the premises on which the graffiti is located.

8.08.150 Removal of graffiti.

It is unlawful for the owner or occupant of any real property to permit graffiti to remain ~~upon any permanently fixed object~~ on the owner's or occupant's property for a period exceeding ~~twenty-four (24)~~ hours after receiving notice of the graffiti ~~existence~~.

8.08.160 Notice and order.

This Section will be enforced pursuant to the provisions in 2.36.500 or 2.36.600 et seq. as appropriate.

- A. ~~The Town designee shall commence proceedings pursuant to under this eChapter by issuing a notice and order to the owner, or their agent, of the owner or occupant of any premises upon which the designated enforcement individual has reasonable cause to believe that a condition as described in this eChapter exists.~~
- B. ~~Such notice and order shall:~~
- ~~1. Be in writing;~~
 - ~~2. Be personally served whenever feasible on the owner, or their agent of the owner, and occupant of such premises or, when such personal service is not feasible, either posted conspicuously at the premises or mailed to such person by certified mail, return receipt requested to the owner, owner's their agent, or the occupant's last known address;~~
 - ~~3. Describe with reasonable particularity the condition existing on the premises which gives rise to the issuance of the notice and order;~~
 - ~~4. Specify the twenty-four (24) hour period within which the condition must be abated or otherwise corrected.~~

8.08.170 Failure of owners to comply.

- A. ~~If an owner receives notice of graffiti andn the event an owner of any premises located within the Town fails to remove the graffiti in compliance with the provisions of this eChapter, the Town is authorized to may have the graffiti abated and to assess the cost of removal plus a surcharge not to exceed twenty-five (25%) percent for administrative costs, against the property, in the form of a lien. If the owner thereof fails to pay within twenty (20) days of the billing, the Town is entitled to a lien for the costs and surcharge in accordance with the provisions of this chapter.~~
- B. ~~Inspection fees for repeat offenders.~~The Town designee shall be authorized to assess an inspection fee of not less than \$100.00 consistent with the Town's most current fee schedule for each re-inspection necessitated by a repeat offender's continued violation and failure to abate following issuance of a notice and order to abate.
1. For purposes of this subsection, "repeat offenders" means ~~the a property owner of property which who~~ has ~~been~~ previously been cited for one or more violations of this eChapter at least two or more times during any successive six-month period; ~~For purposes of this subsection and,~~ "re-inspection" means any and all inspections subsequent to an inspection after issuance of the first notice and order to the owner for a violation on the subject property.

2. ~~The Town designee shall be authorized to assess an inspection fee of not less than one hundred dollars (\$100.00) for each re-inspection necessitated by the repeat offender's continued violation and failure to abate following issuance of a notice and order to abate.~~

23. In the event one or more re-inspection fees is assessed and the property owner or owner's agent fails to pay the fee(s) within ~~twenty~~ (20) days, the Town designee is authorized to file a lien against the property. The Town designee is further authorized to include in one lien assessment action any and all costs incurred by the Town associated with the removal, correction, or other abatement necessitated by the property owner's continued violation and failure to abate following ~~issuance of~~ a notice and order to abate.

8.08.180 Lien assessment.

- A. ~~Authority. When~~ If the owner or occupant of property fails to comply with an order to abate and the Town designee has re-inspected and removed, corrected, or otherwise abated the condition giving rise to ~~the issuance of~~ the notice and ~~demand order through the Town of Monument Public Works Department or a private contract~~, the Town designee is authorized to commence lien assessment proceedings against the property in accordance with the provisions of this ~~s~~Section. ~~In addition,~~ The Town designee is further authorized to assess an administrative surcharge of ~~twenty-five (25%) percent~~ of the cost of ~~private~~ abatement.
- B. ~~Notice.~~ Within ~~ten~~ (10) days of abatement ~~through a private contract by the Town~~, the Town designee shall ascertain the name and address of the property owner from the El Paso County Assessor's records and ~~shall~~ send the property owner a notice of lien assessment ~~which shall contain~~ing the following information:
1. The address of the property to be assessed and the name and address of the property owner.;
 2. The dates of the notice and order, ~~any~~ re-inspections, and the order to abate.;
 3. The ~~name of the~~ Town ~~of Monument~~ Public Works Department ~~employee~~ or ~~the name of the~~ private contractor who abated the condition ~~giving rise to the issuance of~~in the notice and order.;
 4. The total ~~assessment amount of the assessment~~, including re-inspection fees, the cost of abatement, and ~~the amount of~~ the administrative surcharge.;
 5. A due date for ~~assessment~~ payment ~~of the assessment~~ which is not less than ~~twenty~~ (20) days after the date of the notice of lien assessment.;
 6. A statement that failure to pay the assessment within the time ~~period~~ set forth in the notice of lien assessment will result in ~~the~~ imposition of a lien against the property.;
 7. A statement explaining the appeal procedure for the notice of assessment.
- C. ~~Service of the Notice of Assessment.~~ The notice of lien assessment shall be mailed to the property owner via certified first class U.S. mail, return receipt requested. A return receipt signed by the property owner or the property owner's agent shall be

prima facie evidence of service on the date indicated by the owner, agent, or U.S. Postal Service. In the event the property owner or property owner's agent fails to receive or accept service of the notice of lien assessment via certified first class U.S. mail, return receipt requested, the Town designee is authorized to post such notice in a conspicuous place on the subject property.

1. — ~~Mailing. The notice of assessment shall be mailed to the property owner via certified first class U.S. mail, return receipt requested. A return receipt signed by the property owner or an agent of the property owner shall be prima facie evidence of service on the date indicated by the owner, agent or U.S. Postal Service.~~

2. — ~~Posting. In the event the property owner or an agent of the property owner fails to receive service of the notice of lien assessment via certified first class U.S. mail, return receipt requested, the Town designee is authorized to post such notice in a conspicuous place on the property to be assessed.~~

D. ~~Appeal and Hearing. A property owner must appeal a notice of lien assessment in writing within 10 days of its mailed receipt or within 10 days of posting on the subject property. The notice of appeal must state the name and address of the property owner, the address of the property assessed, and the grounds for appeal.~~

1. — ~~Time. A property owner must appeal a notice of lien assessment in writing within ten (10) days of its mailed receipt by the property owner or the owner's agent, or within ten (10) days of posting on the property to be assessed.~~

2. — ~~Contents. The notice of appeal must state the name and address of the property owner, the address of the property assessed and the grounds for appeal.~~

13. ~~Hearing. The appeal of a~~ notice of lien assessment appeal shall be heard by the Town Manager or ~~the Manager's~~ their duly appointed designee.

24. ~~Decision. The Town Manager or their~~ Manager's duly appointed designee, may, after hearing the property owner's objections, make any modification or change to the lien assessment ~~as may seem deemed~~ equitable and just; or ~~may~~ confirm the assessment. ~~The Hearing Officer, but~~ shall not modify or change the amount of the re-inspection fee or ~~the~~ administrative surcharge.

E. ~~Lien Assessment. If not appealed, the total assessment shall then be levied, assessed, and charged against the property. If appealed, the Hearing Officer's determination of the total lien assessment shall then be levied, assessed, and charged against the subject property upon which abatement action was taken not less than five days after the date of the Hearing Officer's determination. In either event, the lien assessment shall become a perpetual lien against the property, superior and prior to all other liens and encumbrances excepting liens for general and special taxes. The Town designee shall certify any lien assessment to the El Paso County Treasurer who shall collect the lien assessment in the same manner as ad valorem taxes are collected.~~

8.08.190 Additional provisions.

The ~~above enumerated~~ provisions of this ~~s~~Section are ~~in no way deemed not to be~~ exclusive, ~~and a~~ Any condition thing declared a nuisance ~~under Section 8.04.010~~ shall be abated in accordance with the provisions ~~contained therein and shall be in addition,~~ subject to the penalties ~~provided set forth in this code, Chapter 1.20 of this Code.~~

Chapter 8.12 JUNK AND ABANDONED VEHICLES ~~AS A NUISANCE~~

8.12.010 Nuisance declared.

All places used or maintained as junkyards, ~~or~~ dumping grounds, ~~or~~ for ~~the~~ wrecking or disassembling ~~of~~ automobiles, trucks, tractors, or machinery of any kind, ~~or for the~~ storing or leaving ~~of~~ worn out, wrecked, or abandoned automobiles, trucks, tractors, trailers, boats, ~~and~~ house trailers, or machinery of any kind, ~~or of any of the parts thereof, or for storing or leaving of any machinery or equipment used by contractors, or builders, or by other persons, which places are kept in such a manner as to essentially interfering with the comfortable enjoyment of life or property by others,~~ are unlawful and declared ~~deemed to be~~ a nuisance.

A. As used in this Section, “abandoned” means any of the following:

1. Any automobiles, trucks, tractors, trailers, boats, house trailers, or machinery left unattended on private property for 48 hours or more without the consent of the owner, occupant, or tenant of such property or such person’s agent.
2. Any automobiles, trucks, tractors, trailers, boats, house trailers, or machinery left unattended on public property, including any portion of a street or highway right-of-way, within Town limits for 24 hours or more, unless the owner or driver has either conspicuously affixed a dated notice to the vehicle or has otherwise notified the police department of their intent to remove such vehicle, or unless the vehicle is parked on a public street within 50 feet of the owner’s property. Notwithstanding such notification of intent to return and remove the vehicle, if it remains unattended for more than 48 hours, it shall be presumed abandoned.
3. Any automobiles, trucks, tractors, trailers, boats, house trailers, or machinery found standing or parked on any public street, Town property, or private property that the police department determines is inoperable, lost, stolen, or unclaimed.

A.B. As used in this Section, “inoperable” means not displaying current, valid license plates, if applicable, lacking any part necessary for legal operation on a public street, if applicable, or lacking glazing, lights, indicators, body sheet metal, or paint on any part of a vehicle, if applicable.

8.12.020 Storage outdoors ~~unlawful prohibited~~—Nuisance.

No vehicle, including, but not limited to, automobiles, trucks, tractors, travel trailers, fifth wheel trailers, horse trailers, motor homes, campers (whether or not mounted on motor vehicles), buses, boats, or any ~~of the~~ parts thereof, which is inoperable, dismantled, wrecked, discarded, or ~~is~~ without valid licensing tags ~~or a valid Colorado Motor Vehicle Inspections sticker~~ shall be kept or stored outdoors on any property zoned residential within the ~~municipal Town~~ limits of the Town, except as provided in this ~~C~~chapter. Such vehicle(s) shall be deemed a public nuisance and ~~as such~~

shall be abated in accordance with the rules in this title governing nuisances Chapter 2.36 of this Code.

8.12.030 Exceptions.

- A. Automobiles or trucks that would otherwise be deemed a nuisance under ~~Section 8.12.020~~ this Chapter may be maintained outdoors upon a parcel of residential property if the vehicle is ~~upon a parcel of residential property if the vehicle is~~ a “collector’s item” as defined by C.R.S. Section 42-12-101, *et seq.*, C.R.S.

~~To qualify as a collector’s item, an automobile or truck must be at least twenty-five (25) years old or recognized by the Executive Director of the State Department of Revenue as being antique or having unique interest or historic value or be a “parts car” as defined by C.R.S. Section 42-12-101. The automobile or truck must be titled and registered as required under C.R.S. Section 42-12-102. The property owner bears the burden of proving that the vehicle is a collector’s item.~~

- B. Automobiles or trucks that would otherwise be deemed a nuisance under ~~Section 8.12.020~~ this Chapter may be maintained outdoors upon residential property if such automobile or truck is actively being made operable ~~and able to license~~, and is made operable within ~~one hundred eighty (180)~~ days of receipt of notice that the automobile or truck is deemed a nuisance. In such cases, the owner of the residential property and automobile or truck must attest to the intent to make the vehicle operable and provide a general plan for when it is anticipated to be completed upon request from the Town.

8.12.040 Maintenance of exception ~~required~~.

An automobile or truck meeting an exception under Section 8.12.030 must be maintained in ~~such~~ a manner that it does not constitute a health, safety, or fire hazard.

8.12.050 Limit ~~to of~~ number of excepted vehicles.

No more than five automobiles or trucks which would otherwise be deemed nuisances ~~pursuant to the provisions of Section 8.12.020 above~~ this Chapter but ~~for that are their classification as excepted~~ automobiles or trucks ~~pursuant to the provisions of~~ Section 8.12.030 ~~shall~~ may be maintained upon any property zoned residential within the ~~municipal Town limits of the Town.~~

8.12.060 Mobile homes.

~~Nothing in the provisions of this eChapter shall not~~ be construed to permit the storage or occupancy ~~within the Town limits~~ of any mobile home, as defined ~~pursuant by to~~ the Town’s current subdivision regulations, ~~of the Town within the Town limits~~, except on land zoned for mobile home use.

8.12.061 Shipping containers.

- A. The placement, use, or storage of ~~conex boxes~~ or shipping containers as permanent or temporary structures, buildings, storage units, or for any other purpose on any property within the Town is unlawful and deemed a nuisance. For purposes of this Section, a “~~conex box~~” or “shipping container” means any standardized, reusable

steel box used for the storage or movement of materials and products within a global containerized intermodal freight transport system including, but not limited to, ISO containers, cargo containers, and similar structures. ~~Conex boxes are exempted from this section.~~

B. This prohibition shall not apply to any of the following:

1. The temporary use of ~~conex boxes or~~ shipping containers for loading or unloading goods, provided such use does not exceed seven consecutive days and is directly related to an active delivery or removal of goods.
2. Use by governmental or emergency services in response to a declared emergency or disaster.
3. Any other use expressly authorized by the Town Council through a special permit or variance.

8.12.070 Enforcement ~~of Chapter 8.12.~~

The provisions of this ~~Chapter Chapter 8.12~~ shall be ~~subject to enforcement under enforced pursuant to the provisions of Chapter 2.36.500 or 2.36.600 et seq. of these Monument Municipal Code as applicable. In~~At the discretion of the Town Manager, Code Officer, or the police department, violations of this ~~Chapter Chapter 8.12~~ shall ~~may~~ also ~~result in a be subject to summons into Municipal Court as a Code violation of the Monument Municipal Code.~~

Chapter 8.16 LITTER

8.16.010 ~~Definition~~Littering prohibited.

A. Depositing, throwing, or leaving, or causing to be deposited any litter on any public or private property or in any waters shall be deemed littering. Littering is unlawful and deemed a nuisance.

B. Any of the following shall be an affirmative defense to littering:

1. The property is an area legally designated for disposing ~~of~~ such material and the person is authorized by the proper public authority to use the property for this purpose.
2. The litter is properly placed in a receptacle or container installed on such property for that purpose in a manner that prevents scattering.
3. The person is the owner or tenant in lawful possession of the property, or they have first obtained written consent ~~from~~of the owner or tenant in lawful possession, or the act is done under the personal direction of the owner or tenant.

C. The following definitions shall apply to this Chapter:

1. "Litter" means all rubbish, waste material, refuse, garbage, trash, debris, or other foreign substances, solid or liquid, of every form, size, kind, and description.
2. "Public or private property" means and includes, but is not limited to, the right-of-way of any road or highway, any body of water or watercourse,

including frozen areas or the shores and surrounding areasbeaches, any park, playground, or building, any recreation area, any residential, farm, or ranch properties and timberland, any dwelling, house, building or other structure, designed or used either wholly or in part for private residential purposes, whether inhabited, temporarily or continuously uninhabited, or vacant, including any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building, or other structure, buildings, streets, sidewalks, gutters, boulevards, alleys, squares, spaces, and grounds.

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meaning given in this section. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

~~"Garbage" is putrescent animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.~~

~~"Litter" is "garbage," "refuse," and "rubbish" as defined in this section and all other waste material which if thrown or deposited as prohibited in this chapter, tends to create a danger to public health, safety and welfare.~~

~~"Newspaper" is any newspaper of general circulation as defined by general law, any newspaper duly entered with the Post Office Department of the United States, in accordance with federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law; and, in addition thereto, means and includes any periodical or current magazine regularly published with not less than four issues per year, and sold to the public.~~

~~"Park" is a park, reservation, playground, beach, recreation center or any other public area in the Town, owned or used by the Town and devoted to active or passive recreation.~~

~~"Person" is any person, firm, partnership, association, corporation, company or organization of any kind.~~

~~"Private premises" is any dwelling, house, building or other structure, designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.~~

~~"Public place" is any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds and buildings.~~

~~"Refuse" is all putrescent and nonputrescent solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid market and industrial wastes.~~

~~"Rubbish" is all nonputrescent solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.~~

~~"Town" is the Town of Monument.~~

~~“Vehicle” is every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracks.~~

8.16.020 Litter in public places~~Reserved~~.

~~No person shall throw or deposit litter in or upon any street, sidewalk or other public place within the Town, except in public receptacles, or in authorized receptacles for collection.~~

8.16.030 Placement of litter in receptacles to prevent scattering~~Reserved~~.

~~Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.~~

8.16.040 Sweeping litter into street prohibited~~Reserved~~.

~~No person shall sweep into or deposit into any gutter, street or other public place within the Town the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.~~

8.16.050 Merchants’ duty to keep sidewalks free of litter.

~~No person owning or occupying a place of business shall sweep into or deposit into any gutter, street or other public place within the Town the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying places of business within the Town shall keep the sidewalk in front of their business premises free of litter.~~

8.16.060 Litter thrown by persons in vehicles~~Reserved~~.

~~No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the Town, or upon private property.~~

8.16.070 Truck loads causing litter.

~~No person shall drive or move any truck or other vehicle within the Town unless such vehicle is so constructed or loaded as to prevent any load, contents, or litter from being thrown or deposited upon any street, alley, or other public place. Nor shall any person drive or move any vehicle or truck within the Town upon any road, street, alley, or other public place so that the vehicle deposits upon such road, street, alley, or other public place any mud, dirt, sticky substances, litter, or foreign matter of any kind.~~

Chapter 8.20 NOISE CONTROL

8.20.010 Nuisance declared.

~~The m~~~~Making of unnecessary noises upon, near, or adjacent to Town the streets, highways, and other public places in the Town is declared unlawful and deemed to be a public nuisance. The enumeration of the~~~~Listing particular specific~~ offenses particularly defined in this eChapter shall not be construed as limiting the generality of this~~limit the eChapter’s general scope or restrict or limiting the offenses hereunder to the particular offenses enumerated~~only those listed in this eChapter.

8.20.020 Objectionable noise not permitted.

~~Every~~ All activities to which covered by this eChapter applies shall be conducted ~~in a manner~~ so that any noise produced is not objectionable due to intermittence, beat frequency, or shrillness.

8.20.030 Definitions.

As used in this eChapter, unless the context otherwise requires, the following words and phrases ~~shall be defined mean~~ as follows:

~~“Commercial zone” means:~~ All zones shall be as defined in Chapter 18.03, Article 2, of this Code.

- ~~1. — An area where offices, clinics and the facilities needed to serve them are located;~~
- ~~2. — An area with local shopping and service establishments located within walking distances of the residents served;~~
- ~~3. — A tourist-oriented area where hotels, motels and gasoline stations are located;~~
- ~~4. — A large integrated regional shopping center;~~
- ~~5. — A business strip along a main street containing offices, retail businesses and commercial enterprises;~~
- ~~6. — A central business district or a commercially dominated area with multiple-unit dwellings.~~

“db(A)” means sound levels in decibels measured on the “A” scale of a standard sound level meter having characteristics defined by the American National Standards Institute Publication S1.4-1971 or any succeeding edition of such standards.

“Decibel” ~~means~~ means a unit used to express the magnitude of a change in sound level. ~~The difference in decibels between two sound pressure levels is twenty (20) times the common logarithm of their ratio.~~ In sound pressure measurements, sound levels are defined as ~~twenty (20)~~ times the common logarithm of the ratio of that sound pressure level to a reference level of 2×10^{-5} N/m² (Newton’s/meter squared). As an example of the effect of the formula, a three-decibel change is a ~~one hundred (100%) percent~~ increase or decrease in the sound level, and a ~~ten (10) decibel~~ change is a ~~one thousand (1,000%) percent~~ increase or decrease in the sound level.

~~“Industrial zone” means an area in which noise restrictions on industry are necessary to protect the value of adjacent properties for other economic activity but shall not include agricultural operations.~~

~~“Light industrial and commercial zone” means:~~

- ~~1. — An area containing clean and quiet research laboratories;~~
- ~~2. — An area containing light industrial activities which are clean and quiet;~~
- ~~3. — An area containing warehousing; or~~
- ~~4. — An area in which other activities are conducted where the general environment is free from concentrated industrial activity.~~

~~“Residential zone” means an area of single family or multifamily dwellings where businesses may or may not be conducted in such dwellings. The zone includes areas where multiple-unit dwellings, high-rise apartment districts, and redevelopment districts are located. A~~

~~residential zone may include areas containing accommodations for transients such as motels and hotels and residential areas with limited office developments, but it may not include retail shopping facilities. “Residential zone” includes hospitals, nursing homes and similar institutional facilities.~~

8.20.040 Maximum permissible noise levels.

Sound levels of noise radiating from a property line ~~at a distance of twenty-five (25) feet~~ or more therefrom in excess of the db(A) established for the following time periods and zones ~~is unlawful and deemed a nuisance shall constitute prima facie evidence that such noise is a public nuisance and a violation of the Town code subjecting the offenders to penalties as set forth in this code.~~

Zone	7:00 a.m. to next 7:00 p.m.	7:00 p.m. to next 7:00 a.m.
<u>Large Lot Residential (LLR) zone district</u>	55 db(A)	50 db(A)
<u>Single-Family Detached Low Density (SFD-1) zone district</u>	<u>55 db(A)</u>	<u>50 db(A)</u>
<u>Single-Family Detached Medium Density (SFD-2) zone district</u>	<u>55 db(A)</u>	<u>50 db(A)</u>
<u>Residential Attached (RA) zone district</u>	<u>55 db(A)</u>	<u>50 db(A)</u>
<u>Mobile Home Park (MHP) residential zone district</u>	<u>55 db(A)</u>	<u>50 db(A)</u>
<u>Downtown Business (DB) zone district</u> Commercial	60 db(A)	55 db(A)
<u>Commercial Center (CC) zone district</u>	<u>60 db(A)</u>	<u>55 db(A)</u>
<u>Business Campus (BC) zone district</u>	<u>80 db(A)</u>	<u>75 db(A)</u>
<u>Light Industrial (LI) zone district</u>	70 db(A)	65 db(A)
Industrial <u>Public (P) zone district</u>	60 <u>80</u> db(A)	55 <u>75</u> db(A)
<u>Regency Park Overlay Zone District - Planned</u>	<u>55 db(A)</u>	<u>50 db(A)</u>

<u>Residential District—Estate (PRD-2)</u>		
<u>Regency Park Overlay Zone District - Planned Residential District—Single-family (PRD-4)</u>	<u>55 db(A)</u>	<u>50 db(A)</u>
<u>Regency Park Overlay Zone District - Planned Residential District—Single-family (PRD-6)</u>	<u>55 db(A)</u>	<u>50 db(A)</u>
<u>Regency Park Overlay Zone District - Planned Residential District—Multiple Family (PRD-10)</u>	<u>55 db(A)</u>	<u>50 db(A)</u>
<u>Regency Park Overlay Zone District - Planned Commercial Development District (PCD)</u>	<u>60 db(A)</u>	<u>55 db(A)</u>
<u>Regency Park Overlay Zone District - Planned Industrial Development District (PID)</u>	<u>70 db(A)</u>	<u>65 db(A)</u>
<u>Regency Park Overlay Zone District - Planned Multi-Use Development District (PMD)</u>	<u>70 db(A)</u>	<u>65 db(A)</u>

- A. ~~In the hours between seven-7:00 a.m. and the next 7:00 p.m.,~~ the noise levels permitted in this Section may be increased by ~~ten-(10)~~ ten-(10) db(A) for a period ~~of not to exceed fifteen-(15)~~ not to exceed fifteen-(15) minutes in any one-hour period.
- B. Periodic, impulsive, or shrill noises shall be ~~considered~~ a violation when such noises are ~~at a sound level of~~ five db(A) less than those listed in this Section.
- C. This ~~e~~Chapter ~~is not intended~~ does not to apply to ~~the operation of~~ aircraft or ~~to~~ other activities ~~which are~~ subject to federal law ~~with respect to noise control~~.
- D. Construction projects shall be subject to the maximum permissible noise levels ~~specified for~~ Light industrial zones ~~for the period within which during the construction period is to be completed pursuant to~~ any applicable construction permit issued by proper authority or, if no time limitation is imposed, for a reasonable period of time for ~~project completion~~ completion of project.
- E. All railroad rights-of-way shall be considered ~~as~~ Light industrial zones for purposes of this Chapter, and ~~the operation of~~ trains operation shall be subject to the maximum permissible noise levels specified for such zone.

It is unlawful for trains operating within the Town ~~of Monument~~ to blow or sound their whistles or to make, continue, or cause to be made or continued, any loud, unnecessary, or unusual noise which ~~either~~ annoys, disturbs, injures, or endangers the comfort, repose, convenience, health, peace, or safety of others; at intersections or crossings within the Town ~~of Monument town limits~~ between the hours of ~~eleven 11:00~~ p.m. and ~~six 6:00~~ a.m., mountain time, unless, due to specific circumstances surrounding the crossing at that time, blowing or sounding ~~of~~ the whistle is required in the exercise of due care and deemed necessary for safety. This shall be in addition to the noise prohibitions ~~on noise relative to industrial standards~~ stated elsewhere in this ~~s~~Subsection.

- F. This ~~e~~Chapter ~~is does~~ not apply~~ieable~~ to ~~the use of~~ property ~~for purposes of~~ used for ~~conducting~~ speed or endurance events involving motor or other vehicles, ~~but such~~ This exception ~~shall is~~ effective only apply during the specific period ~~of time within which such use of the property is~~ authorized by the political subdivision or governmental agency ~~having with~~ lawful jurisdiction ~~overt~~ to authorize such use.
- G. ~~In all~~ When measuring sound levels ~~measurements, consideration shall be given to the effect of the impact of the~~ ambient noise level ~~created by the encompassing noise of the environment~~ from all environmental and other sources present at the time and place location of ~~such sound level~~ the measurement shall be taken into account.
- H. This ~~e~~Chapter ~~does~~ is not apply~~ieable~~ to ~~the use of~~ property used by the state, any political subdivision of the state, or any ~~other non-profit~~ entity ~~not organized for profit, including, but not limited to, nonprofit corporations,~~ or any of their lessees, licensees, or permittees, for the purpose of promoting, producing, or holding cultural, entertainment, athletic, or patriotic events including, but not limited to, concerts, music festivals, and fireworks displays. This ~~s~~Subsection shall not ~~be construed to~~ limit the authority of any political subdivision ~~having with~~ jurisdiction to regulate noise abatement pursuant to ordinance or any permit ~~which may be~~ issued for the activity or event.

8.20.050 Construction project hHours of operation ~~for construction projects~~.

- A. Construction projects involving ~~the~~ use of motorized equipment, pneumatic or hydraulic devices, power tools, hammers, or any other noise-producing machinery, tool, or equipment, whether for actual construction purposes or ~~for~~ deliveries of construction materials, ~~are shall be~~ restricted to the following hours of operation when located within a one-quarter mile radius of ~~a "residential zone" as defined in this chapter:~~
 - 1. Monday through Friday ~~from the hours of~~ between 7:00 a.m. ~~to and~~ 7:00 p.m.
 - 2. Saturday ~~from the hours between of~~ 8:00 a.m. ~~to and~~ 6:00 p.m.
 - 3. No work is permitted on Sundays and ~~National~~ Federal and State Holidays.
- B. The following exceptions apply to the ~~above~~ restrictions in this Subsection ~~are provided:~~

1. Public utilities; and/or contractors working for public utilities; may ~~effect~~ conduct repairs or perform scheduled maintenance to their facilities at any time.
 2. Emergency repairs to any public facility may be undertaken without restriction.
 3. Pumping equipment used for dewatering operations in conjunction with a construction project, if required to allow the construction of underground facilities, detention/retention areas, etc., may operate without restriction if ~~it is proven to be necessary~~ required for such installation ~~as. Such determination shall s by made by the Town Director of Development Services~~ Public Works.
 4. These restrictions do not apply to individual homeowners doing their own work.
- C. The Town may require construction operations to cease during permitted Saturday hours if ~~such~~ construction operations ~~are proven to~~ exceed the maximum permissible noise levels ~~as defined in Section 8.20.040~~, or if the Town receives an excessive number of complaints ~~is received by the Town~~.

~~D. All noise level restrictions included in Section 8.20.040 of this chapter shall remain applicable for the hours of operation listed above.~~

8.20.060 Enforcement of Chapter 8.20.

The provisions of this ~~Chapter~~ Chapter 8.20 shall be subject to enforcement under ~~the provisions of Chapter 2.36 of this Monument Municipal Code. In At~~ the discretion of the Town Manager, Code Officer, or ~~the~~ police department, violations of this ~~Chapter~~ Chapter 8.20 shall ~~may also be subject to result in a~~ summons into Municipal Court as a Code violation ~~of the Monument Municipal Code~~.

Chapter 8.24 REFUSE ACCUMULATIONS AND BUILDING MAINTENANCE

8.24.010 Refuse dDefinitionsed.

~~For the purposes of~~ As used in this eChapter, unless the context otherwise requires, the following words shall be defined as follows: the word

~~“rRefuse”~~ means and includes ~~any~~ branches, grass clippings, leaves, hay, straw, manure, shavings, excelsior, paper, ashes, rubbish, containers, boxes, glass, cans, bottles, garbage, waste and discarded building and construction materials including, but not limited to, plaster, broken concrete, bricks, cinder blocks, stones, wood, roofing material, wire or metal binding, sacks, or loose, discarded, or unused material; all rubbish of any kind or nature ~~whatsoever;~~ and any other materials commonly known as rubbish or refuse of any kind ~~or character or by any means known~~.

“Junk” means and includes any manufactured goods, appliance, fixture, furniture, mattress, machinery, vehicle, metal, iron, tires, cable, old cordage, personal property, or any other thing or part, whether of value or valueless, demolished, broken, discarded, dismantled, partially dismantled, dilapidated, or so worn, deteriorated, or in a condition that it would not normally be usable in its current state for its original manufactured use. This shall include, but is not limited to,

used lumber, rags, rubber, scrap metal, scrap material, waste, rubble, or machinery or automobile parts.

8.24.015 ~~Junk defined~~Reserved.

~~For the purposes of this chapter the word “junk” means and includes any manufactured goods, appliance, fixture, furniture, mattress, machinery, vehicle, metal, iron, tires, cable, old cordage, personal property or any other thing or part, whether of value or valueless, or demolished, broken, discarded, dismantled, partially dismantled, dilapidated, or so worn, deteriorated or in a condition that it would not be normally usable in its current state for its original manufactured use. This shall include, by way of illustration only and without limitation, used lumber, rags, rubber, scrap metal, scrap material, waste, rubble, or machinery or automobile parts.~~

8.24.020 Accumulation of refuse and/or junk prohibited ~~and declared nuisance.~~

~~Any~~The accumulation of refuse and/or junk on any premises, improved or unimproved, in the Town is unlawful~~prohibited~~ and ~~is deemed~~declared to be a nuisance.

8.24.030 Reserved.

8.24.040 Accumulation and deposit of garbage prohibited.

No person shall deposit or place any garbage, rubbish, waste material, or ashes in ~~such a~~ manner that the same is or tends to endanger the public health. No person ~~having the~~ occupying~~aney~~, controlling, or managing~~ement of~~ any premises shall cause or permit ~~any~~ garbage, waste material, rubbish, or ashes to ~~be accumulated thereon in such a manner that the same~~ is~~creates~~ a nuisance or ~~in such a manner as it~~ endangers the public health. No person shall ~~in any manner~~ throw, place, scatter, deposit, or bury any garbage, rubbish, waste materials, or ashes in or upon any public street, alley, or other public place or upon ~~his or her~~their own premises or the premises of another.

8.24.050 Refuse and/or junk ~~not to be~~ thrown in street or vacant lot prohibited.

No hay, straw, excelsior, paper, or other combustible material, branches, sod, lawn mowings, leaves, weeds, ashes, glass, bottles, broken glass, nails, tacks, wire, cans, rocks, stones, or rubbish of any kind or nature ~~whatsoever~~ or any other refuse, ~~or~~ material, or junk shall be thrown or swept into any street, sidewalk, gutter, sewer, intake, alley, vacant lot, or other property.

8.24.060 Refuse and/or junk on premises—Responsibility of owners or lessees.

~~It shall be the duty of E~~every person, ~~whether~~ owner, lessee, or renter, of any vacant lot, building, or premises, including any place of business, hotel, restaurant, dwelling house, apartment, tenement, or any other establishment, shall at all times ~~to~~ maintain the premises in a clean and orderly condition, and shall not ~~permitting no the~~ deposit or accumulation of refuse, ~~or~~ materials, or junk other than those ordinarily attendant upon the use for which such premises are legally intended. Any such accumulation ~~shall is unlawful and deemed~~constitute a nuisance.

8.24.070 Building materials ~~to be removed from~~ construction sites.

All plaster, broken concrete, bricks, cinder blocks, stones, wood, roofing material, wire, or metal binding, sacks, or loose, discarded, or unused material of any kind ~~resulting deriving~~ from the wrecking, constructing, or reconstructing of any room, basement, wall, fence, ~~or~~ sidewalk, or building, shall ~~be~~ promptly be removed or discarded ~~in such a manner so~~ as not to be scattered about by the wind or otherwise and, as soon as possible, ~~be~~ removed by the person responsible for

such work. Such person shall be held liable for any scattering of such refuse, ~~or~~ materials, or junk upon adjacent property.

8.24.080 Removal of refuse and/or junk from businesses ~~required~~.

Discarded automobile parts, stoves, furniture, wool, hides, junkyard refuse, and/or junk shall be removed periodically from ~~business such respective~~ establishments ~~within the Town~~ by the proprietor so that the premises are clean and orderly at all times. Silt and similar deposits from automobile wash racks shall be removed to ~~the Town's~~ dump by the establishment creating such deposit. Any accumulation of ~~highly explosive or inflammable~~ refuse ~~that is highly explosive or inflammable~~ which might endanger life or property shall be removed to such places as approved by the Police Chief or the ~~Fire Chief of the Fire Department with~~; such removal ~~to be~~ handled by the establishments responsible therefor.

8.24.090 Accumulation and use of manure.

Other than a light spread of manure which may be applied on lawns or gardens for fertilizing purposes, manure shall not be kept on any property for any purpose or kept in any place for later use; but shall be either plowed under or removed by the owner, occupant, or agent.

8.24.100 Burning ~~of~~ garbage and waste material.

No person, except ~~authorized~~ personnel ~~authorized by the Town Fire Department~~, shall set on fire or burn any garbage, rubbish, or waste material or any hay, grass clippings, or other combustible materials, except waste paper, in any ash pit or other receptacle or upon the ground. Any such act is ~~unlawful and deemed~~ a nuisance ~~because of smoke and odor~~.

8.24.110 Sanitary conditions and maintenance requirements.

- A. ~~It shall be unlawful and deemed a nuisance for~~ If any commercial building or site; multiple residential dwelling units, including the site; or in any residential unit sharing a common wall, such as an apartment building, located within the Town, whether occupied or vacant, ~~is found~~ to exhibit inadequate maintenance, dilapidation, decay, damage, faulty construction, inadequate light, or an opening or openings which may provide unauthorized entry or a means for animals to enter the premises, ~~it shall be declared a nuisance~~.
- B. ~~It shall be the duty of each~~ The each owner of any premises located within the Town ~~to~~ shall maintain ~~the any~~ premises, whether occupied or vacant, in a safe and sanitary condition as prescribed by the ~~Monument~~ Code and applicable ~~S~~ statutes and regulations.

8.24.120 Enforcement ~~of Chapter 8.24~~.

The provisions of this ~~Chapter Chapter 8.24~~ shall be subject to enforcement under ~~the provisions of Chapter 2.36.500 or 2.36.600 et seq. of this Monument Municipal Code as appropriate. In At~~ the discretion of the Town Manager, Code Officer, or ~~the~~ police department, violations of this ~~Chapter Chapter 8.24 shall may~~ also ~~result in a be subject to~~ summons into Municipal Court as a ~~Code violation of the Monument Municipal Code~~.

Chapter 8.28 WEEDS

8.28.010 Purpose ~~Exclusion~~.

A. —The purpose of this ~~e~~Chapter is to protect the public health, safety, and welfare of the ~~Town's people-citizens of the Town~~ by eliminating and controlling, to the extent possible, the growth and proliferation of weeds within the Town which become a fire ~~hazard~~, a traffic, ~~or~~ and pedestrian hazard, ~~which~~ clog drainageways, and are designated as noxious weeds or undesirable plants.

B. —This chapter shall not apply to land within the Town in its natural state ~~which is overgrown with native grasses and plants. "Land in its natural state" means land which has not been disturbed by digging, scraping or plowing so as to disturb the natural growth indigenous to the area.~~

8.28.020 Definitions.

The following terms, as used in this chapter shall have the meanings hereinafter designated, unless the context specifically indicates otherwise, or unless such meaning is excluded by express provisions: "Owner" means and includes the owner of record, whether person, partnership, firm, corporation or other association of persons, any authorized agent or representative of the owner of record, and any occupant of the premises.

"Premises" means ~~all or any portion of a lot or portion thereof~~, parcel of land, building, or establishment, including ~~any adjacent~~ easements or rights-of-way ~~adjacent to the lot or portion thereof, parcel of land, building or establishment including easements and rights of way owned by the Town which where developed property is adjacent to said rights of way it shall be the duty of the property owner to maintain.~~ For the purposes of any duty or obligation imposed by this ~~e~~Chapter, the term ~~shall also include~~ an area extending to the center line of any alley adjacent to ~~such all or any lot or portion thereof, of a~~ parcel of land, building, or establishment, or if no such alley exists, that area, including all easements of record, to ~~all or any lot or portion thereof~~, parcel of land, building, or establishment including ~~the any street~~ curbs and gutters ~~of the street~~ on any side of such lot or portion thereof, parcel of land, building or establishment. ~~Should If~~ there ~~exist~~ is no adjacent private property, the premises shall ~~be deemed to~~ include the entire width of any adjacent alley.

"Weed" means any plant which meets all the following criteria:

- ~~1~~A. Ordinarily grows without cultivation.;
- ~~2~~B. Is not grown for the purpose of landscaping or food production.;
- ~~3~~C. Will ~~attain such a large growth of~~ to not less than nine inches in height, or grows or accumulates such as to become a fire, traffic, or pedestrian hazard when mature.

8.28.030 Fire hazards.

- A. The growth of weeds, ~~or~~ the accumulation of cuttings, mowing, or other debris, or non-removal of ~~the same either of these~~ from premises located within the Town is declared ~~to be~~ a fire hazard ~~when if~~ such growth or accumulations are within ~~fifty-five~~ (55) feet of any building or structure, and ~~are determined deemed to be~~ a fire hazard by the ~~Town~~ code enforcement designee ~~of the Town or the~~ duly authorized representative of the fire ~~department or fire~~ protection district investigating ~~the an~~ alleged violation.
- B. ~~It shall be the duty of each o~~Owners of any premises located within the Town ~~to shall~~ at all times cut and mow ~~the~~ weeds, or remove accumulations of cuttings,

mowing, or other debris, which are within ~~fifty-five (55)~~ feet of any building or structure when ~~determined-deemed a fire hazard~~ by the Town code enforcement designee ~~of the Town or the~~ duly authorized representative of the fire department or fire protection district ~~to be a fire hazard~~.

8.28.040 Traffic and pedestrian hazards.

- A. The growth of weeds, ~~or the~~ accumulation of cuttings, mowing, or other debris, or the non-removal of ~~the same~~ either of these from premises located within the Town is declared ~~to be~~ a traffic and pedestrian hazard if the growth or accumulations have the effect of obstructing the sight or line of sight of any traffic-control device or the safe movement of traffic or pedestrians within the Town.
- B. The growth of weeds, ~~or the~~ accumulation of cuttings, mowing, or other debris, or non-removal of ~~weeds, cuttings, mowing or other debris~~ either of these from any property adjoining a public right-of-way in which such growth or accumulation extends beyond the edge of the street or street curb into the property, regardless of the presence of sidewalks, and which interferes with ~~the movement of~~ pedestrians movement is declared ~~to be~~ a traffic and pedestrian hazard. Such weeds must be cut and removed from the property to a distance of at least ~~twelve (12)~~ feet ~~back from~~ the edge of the street or base of a curb unless the right-of-way has been otherwise established ~~to be otherwise~~.
- C. ~~It shall be the duty of each o~~ Owners of any premises within the Town ~~to shall~~ at all times cut and mow the weeds, or remove any accumulations thereof, on the property line and ~~the~~ edge of the street or street curb in the front, rear, ~~or and~~ side of the owner's property whenever such growth or accumulations constitute a traffic or pedestrian hazard. ~~It shall be the duty of each o~~ Owners of any premises containing weeds which interfere with the traffic or pedestrian line of sight at any intersection ~~to shall~~ cut and remove such weeds to a distance of ~~fifty-five (55)~~ feet from the street corner and diagonally across the corner in a triangular area. ~~In addition to the fifty-five (55) foot triangle, there must be and ensure~~ a clear line of sight from a stopped vehicle, as measured ~~fifteen (15)~~ feet from the curb line of the cross street, a distance of ~~ten (10)~~ times the posted speed limit of the oncoming traffic (e.g. 10 × 35 mph = 350 feet).

8.28.045 Growth and accumulation of weeds.

- A. The growth of weeds ~~not less taller~~ than nine inches in height, ~~or the~~ accumulation of cuttings, mowing, or other debris, or ~~the~~ non-removal of the same from premises located within the Town, whether commercial lots, individual privately owned sites, ~~whether~~ residential, ~~or non-residential~~, vacant, or improved, ~~located within the Town, is declared unlawful and deemed to be~~ a nuisance.
- B. It is unlawful for any ~~owner or tenant person having or being entitled to the ownership or possession of said~~ premises, or any part thereof, to fail to cut or otherwise control and remove ~~such~~ weeds growing upon said premises, ~~or upon~~ the sidewalks abutting said premises, or ~~fail~~ to remove any accumulation ~~of weeds~~ from said premises ~~and to fail to do so~~ as often as necessary to assure compliance with this ~~e~~Chapter.

- C. Nothing in this ~~s~~Section ~~is meant to~~ precludes ~~the~~ use of grass clippings or other mulch and/or composting, provided ~~that~~ there is no odor objectionable to the senses of the average person or unsightly accumulation of the materials.
- D. The Town may ~~determine that such areas are~~provide exemptions for the following: natural open space, natural parks, conservation areas, erosion control areas, ~~or~~ irrigation and/or detention areas, and areas owned and maintained by the Town.

8.28.050 Clogging ~~of~~ drainageways.

- A. The growth of weeds, ~~or~~ the accumulation of cuttings, mowing, or other debris, or the non-removal of the same from premises located within the Town is ~~declared to be unlawful and deemed~~ a nuisance ~~whenever if~~ such growth or accumulation causes or results in ~~the~~ clogging ~~of~~ drainageways or any drainage structure ~~which is~~ used for the purpose of conveying stormwater drainage to safe outfall points.
- B. ~~It shall be the duty of each o~~Owners of any premises located within the Town ~~to shall~~ at all times cut and mow the weeds on ~~their~~ respective premises, and ~~to~~ remove accumulations thereof; ~~when~~ever ~~the~~at growth or accumulation clogs drainageways or other drainage structures ~~which are~~ designed to convey stormwater drainage flows to safe outfall points.

8.28.060 ~~Failure of owners to comply~~Reserved.

~~In the event an owner of any premises located within the Town fails to cut and destroy weeds, or to have weeds, rubbish, debris or other accumulations cut, destroyed or removed in compliance with the provisions of this chapter, the Town is authorized to have the weeds, rubbish, debris or other accumulations cut, removed or destroyed and to assess the cost of cutting, removal or destruction plus a surcharge not to exceed twenty-five (25) percent for administrative costs, against the property in the form of a lien if the owner thereof fails to pay within twenty (20) days of billing in accordance with the provisions of this chapter.~~

8.28.070 Reserved.

8.28.080 Reserved.

8.28.090 Reserved.

8.28.100 Reserved.

8.28.110 Reserved.

8.28.120 Reserved.

8.28.130 Reserved.

8.28.140 Undesirable plant management.

~~A. —Noxious weed control shall be managed and considered in accordance with the Colorado Noxious Weed Act, Title —Authority. This section shall be known as the Town of Monument's Undesirable Plant Management Ordinance. This section is established in accord with Title 35, Article 5.5, Colorado Revised Statutes.~~

- ~~B. —Advisory Commission Created. The board of trustees shall act as the Undesirable Plant Management Advisory Commission and shall have the powers and duties set forth in Section 35-5-107, C.R.S.~~

C. ~~Undesirable Plants Declared. In accord with Section 35-5-108, C.R.S., the following plants are declared to be undesirable plants subject to this section:~~

- ~~1. Leafy spurge (*euphorbia esula*);~~
- ~~2. Diffuse knapweed (*Centaurea diffusa*);~~
- ~~3. Russian knapweed (*Centaurea repens*);~~
- ~~4. Spotted knapweed (*Centaurea maculosa*);~~
- ~~5. Canada thistle (*Cirsium arvense*).~~

D. ~~Control of Undesirable Plants.~~

- ~~1. Undesirable plants located within the Town limits shall be controlled. "Control" means preventing an undesirable plant from forming viable seeds or vegetative propagules.~~
- ~~2. Enforcement of this section shall be the duty of the Town's Manager or designee. As the Town's Enforcement Administrator the Town Manager or designee shall have the inspection and abatement authority set forth in Sections 35-5.5-110(1), (2), (3) and (6), and 35-5.5-110(3), C.R.S.~~
- ~~3. The Town Manager shall determine suitable methods of biological, chemical and integrated management methods, as defined by Section 35-5.5-103, C.R.S., for the control of undesirable plants. These methods shall be reduced to writing and, upon approval by the Board of Trustees shall be applied to private and public property in the Town as may be necessary for the control of undesirable plants.~~

E. ~~Arbitration Panels. In the event a landowner or occupant requests an arbitration panel as provided for by Section 35-5.5-109(4) or 35-5.5-110(2), C.R.S., the Board of Trustees shall appoint panel members, as provided by state law. All panel members shall be compensated at a rate not to exceed six dollars (\$6.00) per hour, which cost shall be paid by the landowner or occupant requesting the arbitration panel.~~

F. ~~Enforcement of Control Efforts. In the event a landowner or occupant fails to comply with the notice to control identified undesirable plants or the management plan developed by the arbitration panel the Town Manager or designee is authorized to compel the control of the undesirable plants at such time, upon such notice, and in such manner as the Town Board shall prescribe by resolution; and, upon successfully achieving the level of control called for in the notice to control or the management plan developed by the arbitration panel, to assess the whole cost thereof, including fifteen (15) percent of the total control costs to cover inspection and other incidental costs in connection with the control, upon the tract of land where the undesirable plants are located. As provided in Section 35-5.5-109(5)(a), C.R.S., this assessment shall be deemed a lien and collected provided by state law. However, in the event the undesirable weeds are located on public lands, the Town Manager or designee shall proceed on the Town's behalf as provided by Section 35-5.5-110, C.R.S.~~

G. ~~Control on Town Property. It shall be the duty and responsibility of the Town Manager or designee to control all undesirable plants located upon Town-owned property and upon Town-controlled rights-of-way except that property owners shall have the same obligation to control undesirable plants on Town property as is defined in Section 8.28.020 providing for owner responsibility of easements and areas in alleys. The Town Manager shall coordinate control efforts on Town-owned or controlled property and shall determine departmental support as required and cost of compliance with this section.~~

H. ~~Declaration of Public Nuisance. Those undesirable plants identified in this section, their carriers, and any and all premises, plants and things infested therewith are declared to be a public nuisance and, notwithstanding subsections A through G of this section, the Board of Trustees may by resolution or ordinance take such action, including removal and destruction of such nuisance, as it in its discretion deems necessary to protect the public health, safety or welfare, all as provided by Section 35-5.5-113, C.R.S.~~

8.28.150 Enforcement of Chapter 8.28.

The provisions of this ~~Chapter~~ Chapter 8.28 shall be subject to enforcement under ~~the provisions of Chapter 2.36.500 or 2.36.600 et seq. of this Monument Municipal Code as appropriate. In-At~~ the discretion of the Town Manager, Code Officer, or ~~the~~ police department, violations of this ~~Chapter~~ Chapter 8.28 shall ~~may also result in aalso be subject to~~ Municipal Court summons ~~into Municipal Court~~ as a Code violation ~~of the Monument Municipal Code~~.

Chapter 8.30 STORMWATER DISCHARGE AND EROSION CONTROL

8.30.010 Purpose.

- A. The purpose of this ~~e~~Chapter is to protect the public health, safety, and welfare of the ~~Town's~~ citizens of Monument, ~~and~~ to protect the public infrastructure; and ~~to protect~~ downstream environments from detrimental effects due to illicit discharge, excessive stormwater runoff, and sedimentation by eliminating and controlling, to the maximum extent possible, sources of concentrated stormwater runoff from private property in excess of historical flows, volumes, and velocities; and ~~by~~ eliminating and controlling erosion; and the resulting migration of sediment and other debris at the source.
- B. As part of the National Pollutant Discharge Elimination System (NPDES) - Phase II program administered in Colorado by the Colorado Department of Public Health and Environment, the Town ~~of Monument~~ has been awarded a Colorado Discharge Permit System General Permit (MS4 Permit). This permit, ~~made~~ effective March 10, 2008, authorizes the Town ~~of Monument~~ to discharge stormwater associated with municipal separate storm sewers in its permitted area into state waters. As part of this permit, the Town ~~of Monument~~ is required to establish measures to protect the quality of stormwater entering State waters.

8.30.020 Definitions.

~~The following terms as used in this eChapter, unless the context otherwise requires, the following words shall have the meanings hereinafter designated~~ be defined as follows:

“Best ~~M~~management ~~P~~practices (BMPs)” means physical, structural, and/or managerial practices that, when used singly or in combination, prevent or reduce pollution of stormwater.

“Erosion and Stormwater Quality Control Plan (ESQCP)” ~~is means~~ a plan for controlling erosion, sedimentation, and stormwater quality during construction in compliance with the laws, ordinances, regulations, standards, and specifications, ~~as~~ adopted by the Town consistent with ~~from~~ the City of Colorado Springs/El Paso County Drainage Criteria Manual (DCM).

“Land in its natural state” means property that has not been disturbed by digging, scraping, or plowing so as to disturb the natural growth indigenous to the area.

“Municipal separate storm sewer system (MS4)” ~~is defined as means~~ the conveyance system, ~~of conveyance~~ (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, ~~and/or~~ storm drains,) owned and operated by the Town.

“National ~~p~~Pollutant ~~d~~Discharge ~~e~~Elimination ~~s~~System (NPDES)” means the permitting ~~program established under implementation section of~~ the Federal Clean Water Act to regulate the ~~discharge of pollutants into waters of the United States.~~

“Operations and Maintenance Agreement” ~~imeans~~ a legally recorded document that acts as a property deed restriction and provides for long-term maintenance of stormwater management facilities.

~~“Owner” means and includes the owner of record of a property, whether person, partnership, firm, corporation or other association of persons, any authorized agent or representative of the owner of record, and any occupant of the premises.~~

“Site development contractor” means a licensed and insured contractor permitted to conduct earthmoving operations in the State ~~of Colorado.~~

8.30.030 ~~Area of applicability/inclusion and exclusion.~~

The entire area located within the ~~municipal Town’s~~ boundaries ~~of the Town of Monument,~~ ~~as may be amended from time to time,~~ shall be subject to ~~the regulations and enforcement policies and procedures contained in this eChapter. Therefore, a~~ All of the requirements imposed upon the Town as an MS4 within the Town’s NPDES permit boundaries shall ~~now~~ be applicable to, and enforceable, within the entirety ~~of the~~ Town limits.

This ~~eChapter~~ shall not apply to land within the Town in its natural state which ~~has been heretofore~~ is undeveloped, undisturbed, or unaltered through vegetation removal, grading, or other construction activity. ~~“Land in its natural state” shall mean property that has not been disturbed by digging, scraping, or plowing so as to disturb the natural growth indigenous to the area.~~

8.30.040 Enforcement authority.

For ~~the~~ purposes of this ~~eChapter~~, the ~~d~~Department of ~~development services~~ Public Works or its assignee is designated as the enforcement authority ~~for all regulations contained in this chapter.~~

8.30.050 Construction sites.

- A. Any individual construction site with a gross area of disturbance of one-half acre or more shall be subject to ~~the regulations in this eChapter. The site development contractor retained by the site owner shall obtain~~ As such, a site development

permit ~~is required to be obtained by the site development contractor retained by the owner of the site, and accept who is responsible~~ for maintaining all erosion and sedimentation control on the site. ~~The contractor shall follow A~~all applicable Town procedures for obtaining a site development permit ~~must be followed by the contractor~~ prior to any ~~site~~ disturbance ~~of the site~~, including ~~the~~ preparation, submittal, and approval by the Town, and all applicable agencies, of an ~~ESQCP~~erosion and stormwater quality control plan, pursuant to ~~the requirements of Chapter 17.45 of this Code~~the Town Code as appropriate.

- B. Any individual construction site with a gross area of disturbance less than one-half acre shall ~~be required to~~ provide evidence through a sketch, narrative, or other means, that ~~best management practices (BMPs)~~ are being implemented ~~to assure compliance with the standards of this chapter~~.
- C. ~~Maximum Area of Disturbance. In order to~~To mitigate the potential for erosion, sedimentation, excessive stormwater runoff, dust, and other hazards associated with earthmoving and grading operations, the maximum area of any site that can be graded or otherwise disturbed from its natural state at ~~any~~ one time is ~~twenty-five (25)~~ acres. Developments larger than ~~twenty-five (25)~~ acres must submit a phasing plan for site development that addresses temporary and permanent erosion control measures for each phase of ~~the~~ development. ~~The i~~Installation of all erosion control and sedimentation prevention measures ~~shall~~must be completed for each phase and accepted by the ~~D~~department prior to initiating ~~on of~~ the next ~~development~~ phase ~~of development~~.
- D. All construction sites shall have an ~~erosion and stormwater quality control plan~~ESQCP to assure adequate design, implementation, and maintenance of BMPs to reduce pollutant discharges, control stormwater runoff and sedimentation, and protect water quality. The contents of this ~~p~~Plan shall comply with ~~Chapter 16.40 of this Code~~the Town Code as appropriate.
- E. ~~Compliance.~~
 - 1. ~~Compliance inspections shall be conducted by Town of Monument representatives on a routine basis to determine if the site development contractor is adhering to all of the regulations of this c~~Chapter ~~and those applicable regulations contained in Chapter 16.40 of this Code.~~
 - 12. Complaint response inspections ~~will~~shall be conducted by the ~~d~~Department ~~if it receives~~when a report of deficiencies ~~is received~~.
 - 23. ~~The Town shall complete Monthly inspection reports every 45 days will be completed by the Town, outlining all deficiencies observed and maintenance techniques that should be implemented~~need to be utilized.
 - 3. ~~Builders/Developers shall complete bi-weekly inspection reports and submit them to the Department of Public Works to maintain compliance with the Town's MS4 permit.~~

8.30.060 Post-construction stormwater management.

- A. ~~Rationale.~~ Post-construction stormwater management in areas undergoing new development or redevelopment is necessary because runoff from these areas has been shown to significantly affect receiving water bodies and other downstream conveyances. There are generally two forms of substantial impacts from post-construction runoff. The first is caused by an increase in the type and quality of pollutants in stormwater runoff. As runoff flows over areas altered by development, it may pick up harmful sediment and chemicals such as oil and grease, pesticides, heavy metals, and nutrients (e.g., nitrogen and phosphorus). These pollutants often become suspended in runoff and are carried to receiving waters, roadside ditches, and other conveyances. The second type of post-construction runoff impact occurs by increasing the quantity of water concentrated in offsite areas due to the reduction of historical flows from a wide overland area to one or more concentrated discharge points. This ~~has the effect of increasing~~ the volume and velocity of stormwater runoff from developed sites even though the overall historical stormwater flow leaving the site has been restricted to at or below historical levels. In addition, increased areas of imperviousness interrupt the natural cycle of gradual ~~water~~ percolation ~~of water~~ through vegetation and soil. Water ~~is~~ instead collected ~~ed~~ from surfaces such as asphalt and concrete and is routed to drainage systems where large volumes of runoff quickly flow downstream, often with detrimental effects to the MS4, such as scouring ~~of~~ roadside ditches and banks, migration of silt and sediment into the municipal stormwater system and/or protected downstream environments, and flooding.
- B. ~~Operation and Maintenance of Permanent BMPs.~~ In accordance with the MS4 permit ~~effective March 10, 2008~~, the Town has developed a program to ensure continuous operation and maintenance of permanent BMP's. The ~~o~~Operations and ~~m~~Maintenance ~~plan Agreement~~ must include the following elements:
1. ~~Site Specific Design~~—Each site ~~should shall~~ be individually designed with the proper BMPs ~~that are~~ deemed necessary by the engineer ~~of~~ record. Chapter 4 of the City of Colorado Springs/El Paso County Drainage Criteria Manual, Volume 2 (DCM, Vol. 2) contains guidance and requirements for ~~the selection~~g and siting ~~of~~ permanent BMPs for new development and significant redevelopment. Maintenance recommendations are provided for each BMP. The site design shall comply with these criteria and to the extent possible, the recommendations.
 2. ~~PE Certification for BMP Construction~~—Colorado State law regulates the practice of engineering and states that observation of construction to evaluate compliance with plans and specifications is considered the practice of engineering and must be performed by a licensed professional engineer or supervised by a licensed professional engineer. Therefore, ~~o~~Once construction is complete, as-built plan certification and a letter of substantial conformance shall be submitted by a State licensed professional engineer (PE) ~~in the State of Colorado~~ to ensure that constructed stormwater management practices and conveyance systems comply with the specifications ~~contained~~ in the approved plans. At a minimum, as-built certification shall include three sets one electronic set and one hard copy set

of drawings comparing the approved plans with what was constructed. The certification shall be submitted to the ~~d~~Director of ~~development services~~Planning. ~~Erosion and s~~Stormwater and ~~q~~Quality ~~c~~Control ~~p~~Plan financial assurances ~~will~~shall not be released until the certification is received and accepted by the ~~D~~director of ~~development services~~Planning.

3. ~~Inspection and Maintenance Plan~~—For ~~p~~Projects greater than one acre shall have; an inspection and maintenance plan (IM Plan) ~~is needed to which~~ ensures the continued function of the permanent BMPs as designed and constructed. The IM ~~P~~plan shall be developed concurrently with the facility design of the facility, submitted with the ~~e~~Erosion and ~~s~~Stormwater ~~Q~~quality ~~c~~Control ~~p~~Plan, and reviewed by the Town ~~of Monument~~. The IM ~~p~~Plan shall specify those responsible for inspection and maintenance ~~(i.e., property owner, homeowners' association)~~, list recommended inspection and maintenance activities and frequencies, address access, specify approximate annual maintenance costs, and specify responsibilityies for financing and conducting maintenance activities. Maintenance and inspection activities and frequencies are listed for each BMP in Chapter 4 of the DCM, Vol. 2.
4. ~~Maintenance Agreement~~—Unless a permanent stormwater quality BMP is dedicated to and accepted by the Town, the responsible party must execute an Operations and Mmaintenance ~~a~~Agreement binding on all subsequent land owners ~~of land~~ served by the BMP. This ~~A~~Agreement ~~is~~shall be a legally recorded document that acts as a property deed restriction; and which provides for long-term maintenance of stormwater management practices. If portions of the land are sold or otherwise transferred, legally binding arrangements shall be made to pass the inspection and maintenance responsibility to the appropriate successors in title. The ~~a~~Agreement shall identifyies by name or official title the person(s) responsible for carrying out the maintenance and refers to the approved IM ~~P~~plan for required maintenance and inspection activities. The ~~a~~Agreement shall provides that; in the event maintenance or repair is neglected, or the stormwater management facility becomes a danger to public health or safety, the Town has the authority to perform the work and recover the costs from the owner. The Agreement shall also provide that the Public Works Department may enter the property at reasonable times and in a reasonable manner for the purpose of inspection or maintenance and to confirm the information in the annual inspection report submitted by the responsible party for maintenance. This shall include the right to enter a property when there is a reasonable basis to believe that inspections and maintenance are not occurring or have not occurred, and to enter when necessary to perform maintenance at the responsible party's expense.

The Town ~~will~~shall provide an Agreement template ~~of the agreement~~ for completion by the responsible party. A signed Operations and mMaintenance ~~a~~Agreement shall be submitted to the Town ~~of Monument~~.

The Town ~~will~~shall not release any financial sureties for the project until the ~~Operations and m~~Operations and Maintenance aAgreement is recorded.

5. ~~Inspections~~—The ~~Operations and m~~Operations and Maintenance aAgreement shall state the party responsible for performing periodic inspections of the stormwater BMPs and submitting an annual report to the ~~Director of~~Director of Public Works ~~Director~~. The annual report ~~must~~shall include, at a minimum, completed inspection forms, a list of maintenance activities required, and a list of maintenance performed during the prior year. The annual report ~~must~~shall be submitted to the Public Works Director no later than May 31st of each year. The completed report ~~must~~shall be sent to:

Director of Public Works

~~P.O. Box 325~~

~~645 Beacon Lite Road~~506 N. Jefferson Street

Monument, CO 80132

In the event ~~that~~ the self-inspection results are not submitted, the ~~Director of~~Director of Public Works ~~Director~~ or ~~their~~their designee ~~will~~shall contact the responsible party by registered or certified mail ~~regarding~~regarding the missed inspection. The responsible party ~~will~~shall have ~~twenty (20)~~twenty (20) business days ~~from the date of~~from the date of ~~notice~~ to complete the self-inspection and mail a completed report to the Public Works Director. A notice of violation (NOV) ~~wish~~shall be issued to the responsible party if a self-inspection is not submitted after the 20th business day.

6. If maintenance activities are not completed in a timely manner or as specified in the approved plan, the Public Works Department may complete the necessary maintenance at the responsible party's expense.

The Public Works Department ~~wish~~shall inspect private and public facilities once during the first year of operation and then once every one to five years, depending on the type of BMP, maintenance history, and other factors. The Public Works Department ~~wish~~shall also inspect facilities once an NOV has been issued for not performing self-inspections. A notification of inspection letter ~~will~~shall be sent by the Public Works Director to the responsible party ~~to~~to ~~informing~~informing them that an inspection is scheduled. The letter ~~wish~~shall include the date of the inspection, what to expect, and encourage ~~the~~the completion of routine maintenance actions by the responsible party prior to the inspection.

If deficiencies are noted during the inspection, the Public Works Department ~~will~~shall notify the responsible party by registered or certified mail of the issues. The responsible party shall have ~~thirty (30)~~thirty (30) days, or other time frame mutually agreed upon between the Public Works Department and the responsible party, to correct the deficiencies. The Public Works Department ~~wish~~shall then conduct a follow-up inspection to verify the repairs. If repairs are not undertaken or are not found to be done properly, the Public Works Director, ~~other staff under the direction of the Public Works Director~~their designee, or a contractor engaged by the Town may

enter upon the subject private property and complete the necessary maintenance at the responsible party's expense.

If, during an inspection, ~~it is noted that~~ the condition of a BMP presents an immediate danger to the public health or safety due to an unsafe condition or improper maintenance, the Public Works Department can take immediate action to protect the public and make the facility safe. Any cost incurred by the Town shall be assessed against the responsible party.

7. ~~Right of Entry for Inspection and Maintenance. The terms of the maintenance agreement shall provide for the Public Works Department to enter the property at reasonable times and in a reasonable manner for the purpose of inspection or maintenance and to confirm the information in the annual inspection report submitted by the responsible party for maintenance. This includes the right to enter a property when there is a reasonable basis to believe that inspections and maintenance are not occurring or have not occurred, and to enter when necessary to perform maintenance at the responsible party's expense.~~

8. ~~Recordkeeping~~ Parties responsible for operation and maintenance of BMP's shall provide records of all maintenance and repairs performed to the Public Works Department upon request. All documentation ~~is shall~~ be kept by the responsible party for a minimum of three years.

- C. All individual single-family residential lots ~~must shall~~ be landscaped pursuant to ~~the requirements of Section~~ Chapter 18.05, Article 417.52.040 of this Code with front yards ~~required to be~~ landscaped within six months of the issuance of a certificate of occupancy, and side and rear yards ~~required to be~~ landscaped within ~~twelve (12)~~ months of the issuance of a certificate of occupancy. A deferred permit may be issued by the Director for a good cause. ~~This regulation is intended to include all existing lots at the time of adoption of this chapter that have not been landscaped.~~ Temporary erosion control measures, including, but not limited to, straw bales, rock socks, silt fences, and check dams, must be in place for all lots that ~~have are~~ not ~~received~~ landscaped ing until such time as final landscaping inspection approval has been issued by the Department.

8.30.070 Enforcement.

~~For purposes of this eChapter, the Town is authorized to designate an enforcement representative who is authorized to enforce all provisions of this Title, except for those Chapters explicitly governed by 2.36.500 of this Code chapter. This Chapter will be enforced pursuant to the terms and conditions set forth in 2.36.500 or 2.36.600 as appropriate.~~

~~A. Notice and Order.~~

1. ~~The Town's designated enforcement individual representative for the Town shall commence proceedings pursuant to this eChapter by issuing a notice and order to the owner, or owner's agent, of the owner or occupant of any premises upon which the designated enforcement individual representative has reasonable cause to believe that a condition as described in this eChapter exists. Such notice and order shall:~~

2. — Such notice and order shall:

a1. — Be in writing;

b2. — Be personally served whenever feasible on the owner, or owner's agent, of the owner and occupant of such premises or, when such personal service is not feasible, either posted conspicuously at the premises or mailed to such person by certified mail, return receipt requested to the owner's or owner's agent's or the occupant's last known address;

c3. — Describe with reasonable particularity the condition existing on the premises which gives rise to the issuance of the notice and order;

d4. — Specify a reasonable period within which the condition must be abated or otherwise corrected; and

e5. — State that the owner, owner's agent, or occupant may an appeal is available to the owner, agent of the owner, or occupant provided the notice by written application therefore is made within ten (10) days of service, or posting, or the receipt of the such notice and order.

B. — Appeal of Notice and Order.

1. — All appeals of notice and orders appeals shall be filed with the Town Manager and heard by the Manager or their Manager's designee. The Manager is authorized to adopt reasonable procedures for the hearing of such appeals.

C. — Failure to Comply with Order to Abate.

1. — Noncompliance Prohibited. It is unlawful for any person to fail or refuse to comply with any order issued pursuant to this eChapter.

2. — ~~Abatement by Town Designee—Costs.~~ A. ~~Ifn the event that~~ any order issued pursuant to this eChapter is not complied with at such reasonable times as specified therein, the Town designee, after notice to the owner, ~~owner's agent, of the owner~~ and occupant, may have removed, corrected or otherwise abated through private contract the condition giving rise to ~~the~~ issuance of the order to abate. The Town may seek a lien for cost and expenses associated with requiring compliance ~~of with~~ the order which shall be independent of and in addition to any penalty provided ~~for~~ by this Code for violations of this eChapter.

B.13. ~~Inspection Fees for Repeat Offenders.~~ The Town designee shall be authorized to assess an inspection fee consistent with the Town's fee schedule of not less than \$100.00 for each reinspection necessitated by a repeat offender's continued violation and failure to abate following issuance of a notice and order to abate.

1a. For purposes of this subsection, "repeat offenders" means ~~thea~~ property owner ~~of property~~ who ~~ieh~~ has been previously cited for one or more violations of this eChapter at least two or more times during any successive six month period; ~~For purposes of this subsection,~~ and "reinspection" means any and all inspections subsequent to an

inspection after issuance of the first notice and order to the owner for a violation on the subject property.

b. ~~The Town designee shall be authorized to assess an inspection fee of not less than one hundred dollars (\$100.00) for each reinspection necessitated by the repeat offender's continued violation and failure to abate following issuance of a notice and order to abate.~~

e2. In the event one or more reinspection fees is assessed and the property owner or owner's agent fails to pay the fee(s) within ~~twenty (20)~~ days, the Town designee is authorized to file a lien against the property. The Town designee is further authorized to include in one lien assessment action any and all costs incurred by the Town associated with the removal, correction, or other abatement necessitated by the property owner's continued violation and failure to abate following ~~issuance of~~ a notice and order to abate.

DC. Lien Assessment.

1. ~~Authority.~~ When ~~an the~~ owner or occupant ~~of property~~ fails to comply with an order to abate and the Town designee has reinspected and removed, corrected, or otherwise abated the condition giving rise to ~~the issuance of~~ the notice and order through a private contract, the Town designee is authorized to commence lien assessment proceedings against the property in accordance with the provisions of this sSection. ~~In addition, the~~ Town designee is further authorized to assess an administrative surcharge of ~~twenty-five (25%) percent~~ of the cost of private abatement.

12. ~~Notice.~~ Within ~~ten (10)~~ days of abatement through a private contract, the Town designee shall ascertain the name and address of the property owner from the El Paso County Assessor's records and shall send the property owner a notice of lien assessment which shall contain all the following information:

- a. The address of the property to be assessed and the name and address of the property owner.;
- b. The dates of the notice and order, any reinspections, and the order to abate.;
- c. The name of the private contractor who abated the condition giving rise to ~~the issuance of~~ the notice and order.;
- d. The total amount of the assessment, including reinspection fees, ~~the~~ cost of private abatement, and ~~the amount of~~ the administrative surcharge.;
- e. A due date for payment of the assessment which is not less than ~~twenty (20)~~ days after the date of the notice of lien assessment.
- f. A statement that failure to pay the assessment within the time ~~period~~ set forth in the notice of lien assessment ~~will shall~~ result in ~~the~~ imposition of a lien against the property.;

- g. A statement explaining the appeal procedure for the notice of lien assessment.

32. Service of the Notice of Assessment.

- a. ~~Mailing.~~ The notice of lien assessment shall be mailed to the property owner via certified first-class U.S. mail, return receipt requested. A return receipt signed by the property owner or ~~an the owner's agent of the property owner~~ shall be prima facie evidence of service on the date indicated by the owner, agent, or U.S. Postal Service.
- b. ~~Posting.~~ In the event the property owner or ~~the an owner's agent of the property owner~~ fails to receive service of the notice of lien assessment via certified first-class U.S. mail, return receipt requested, the Town designee is authorized to post such notice in a conspicuous place on the property ~~to being~~ assessed.

43. Appeal and Hearing.

- a. ~~Time.~~ A property owner must appeal a notice of lien assessment in writing within ~~ten (10)~~ days of its mailed receipt ~~by the property owner or the owner's agent, or within ten (10) days of~~ posting on the property ~~to being~~ assessed.
- b. ~~Contents.~~ The notice of appeal must state the name and address of the property owner, ~~the~~ address of the property assessed, and ~~the~~ grounds for appeal.
 - ea. ~~Hearing.~~ ~~If appealed, The a h~~Hearing ~~o~~Officer may, after hearing the property owner's objections, make any modification or change to the lien assessment as ~~may seems~~ equitable and just; or ~~may~~ confirm the assessment. The hearing officer shall not modify or change the amount of the reinspection fee or the administrative surcharge.

- d4. ~~Lien Assessment.~~ If not appealed, the total assessment shall then be levied, assessed, and charged against the property ~~upon abatement action was taken~~ not less ~~than five-10~~ days after the property owner's or agent's mailed receipt of the notice of lien assessment or posting on the property ~~to being~~ assessed. If appealed, the ~~H~~hearing ~~o~~Officer's determination of the total assessment shall then be levied, assessed, and charged against the property ~~upon which abatement action was taken~~ not less than five days after the date of the ~~h~~hearing ~~o~~Officer's determination. In either event, the assessment shall become a perpetual lien against the property, superior and prior to all other liens and encumbrances excepting liens for general and special taxes. The Town designee shall notify the Town Treasurer who shall certify any lien assessment to the El Paso County Treasurer who shall collect the lien assessment in the same manner as ad valorem taxes are collected.

ED. Abatement—Emergency Order.

- 1. ~~Whenever~~If the Town designee deems ~~that~~ an emergency exists ~~which requires~~ immediate action to protect the public health, safety, and welfare, the designee may,

without prior notice or hearing, issue an order stating that such emergency exists and requiring ~~that~~ emergency abatement action be taken as deemed necessary to ~~meet-address~~ the emergency. Notwithstanding any other provisions of this ~~e~~Chapter to the contrary, such order shall be effective immediately.

12. Any person to whom such emergency order is issued shall comply therewith immediately, ~~and it~~ is unlawful to fail or refuse to so comply.

23. ~~Ifn the event that thea~~ person ~~issued an to whom such~~ emergency order is ~~issued~~ fails or refuses to immediately comply therewith, the Town designee may, without prior notice to the owner, ~~owner's agent, or~~ occupant ~~or agent of the owner~~, have removed, corrected, or otherwise abated the condition giving rise to the ~~issuance of the~~ emergency abatement order.

~~FE.~~ ~~Remedies—Additional.~~ The remedies provided ~~for~~ by this ~~e~~Chapter shall be cumulative and in addition to any other remedies ~~which may be~~ available to the Town Manager or designee. Nothing contained herein shall ~~be construed to~~ preclude the Town Manager from seeking ~~such~~ other remedies herein granted. In addition to the above, for land undergoing development with a valid ~~Town~~ site development permit ~~from the Town~~, verbal warnings by the ~~d~~Department may be used as an initial notification of noncompliance, followed by a written notice of noncompliance. Finally, a “stop work” order may be issued by the Department in the event the site development contractor fails to remedy the violation(s) cited by the Department within a reasonable time ~~frame~~, as determined by the Department. The Town reserves the right to revoke any site development permits issued to the contractor, at its sole discretion, for persistent, continual, or significant noncompliance with ~~the regulations of this e~~Chapter. ~~Should If~~ the Town issues a summons requiring an owner to appear in municipal court, each day of violation shall be a separate offense.

Chapter 8.32 SOLICITATION **PROHIBITED**

8.32.010 Definitions.

A. —“Automated Teller Machine” ~~shall means~~ a device, linked to a financial institution’s account record which is able to carry out transactions, including, but not limited to, account transfers, deposits, cash withdrawals, balance inquiries, and mortgage and loan payments.

B. —“Automated Teller Machine Facility” ~~shall means~~ the area comprised of one or more automated teller machines and any adjacent space ~~which is~~ made available to banking customers after regular banking hours.

C. —“Obstruct” ~~shall means~~ to hinder, ~~retard~~, or slow progress, ~~to retard progress, to~~ make accomplishment of obtaining a goal; slower or more difficult, ~~to be or come in the way of,~~ or impeded.

D. —“Public Place” ~~shall means~~ a place to which the public or a substantial part of the public has access, including streets, highways, transportation facilities, schools, places of amusement, parks, playgrounds, ~~and the~~ common areas of public and private buildings and facilities, including parking lots, or any other area intended for use by the public. It shall include

the front, entryway, doorway, ~~or~~ vestibule, or area of immediate access to any public place, store, shop, restaurant, tavern, or other place of business.

E. —“Soliciting” ~~shall mean~~ to knowingly approach, accost, or stop another person in a public place ~~and~~ to make a request, whether by spoken words, bodily gestures, written signs, or other means, for a gift of money or other thing of value, regardless of the solicitor’s purpose. ~~Soliciting includes, but is not limited to, seeking a donation where the person being solicited receives an item of little or no monetary value in exchange for a donation, under circumstances where a reasonable person would understand that the purchase is in substance a donation, or begging, or panhandling.~~ Soliciting does not include passively standing or sitting with a sign or other indication that one is seeking donations, without addressing any ~~solicitation to any~~ specific person, other than in response to an inquiry by that person.

8.32.020 Aggressive soliciting prohibited.

It shall be unlawful for any person to engage in any of the following:

A1. ~~Engage in a~~ Aggressively soliciting in any public place. Aggressive solicitation is defined as means engaging in one or more of the following:

- 1a. Continuing to solicit from a person after the person has given a negative response to the soliciting.;
- b2. Intentionally touching or causing physical contact with another person without that person’s consent ~~in the course of while~~ soliciting.;
- e3. Intentionally blocking, obstructing, or interfering with the safe or free passage of a pedestrian or vehicle by any means, including unreasonably causing a pedestrian or vehicle operator to take evasive action to avoid physical contact ~~in the course of while~~ soliciting.;
- d4. Using violent or threatening conduct toward a person solicited which would cause a reasonable person to ~~be fearful~~ for ~~his or their~~ safety.;
- e5. Persisting in closely following or approaching the person being solicited and continuing to solicit after the person has informed the solicitor by words or conduct that ~~they person~~ does not want to be solicited or ~~does not want to~~ give money or anything of value to the solicitor.;
- f6. Using profane or abusive language ~~which is~~ likely to provoke an immediate violent reaction from the person being solicited or ~~would~~ cause a reasonable person to ~~be fearful~~ for ~~his or their~~ safety.;
- g7. Soliciting money from anyone ~~who is~~ waiting in line for tickets, ~~for~~ entry into a building, or ~~for~~ another purpose.;
- h8. Approaching or following a person for solicitation as part of a group of two or more ~~persons, in a manner and with~~ using conduct, words, or gestures intended or likely to cause a reasonable person to fear imminent bodily harm, ~~or~~ damage to or loss of property, or ~~otherwise to feel~~ be intimidated into giving money or ~~other~~ any thing of value.

- ~~2B.~~ Solicit on any private or residential property after ~~having been~~ asked to leave, or refrain from soliciting, by the owner or other person lawfully in possession of the property.
- ~~3C.~~ Solicit within ~~twenty (20)~~ feet of any automated teller machine, provided, ~~however,~~ that when an automated teller machine is located within an automated teller machine facility, the distance shall be measured from the facility's entrance or exit ~~of the facility.~~
- ~~4D.~~ Solicit in or upon any public transportation vehicle or public transportation facility within or at any bus stop, ~~or in any~~ parking lot, structure, or other parking facility.
- ~~5E.~~ Solicit within six feet of a ~~building's~~ entrance ~~to a building.~~
- ~~6F.~~ Solicit any person entering or exiting a parked motor vehicle or in a motor vehicle stopped on the street.
- ~~7G.~~ Solicit any person located within the patio or sidewalk area of a retail business establishment that serves food and/or drink.
- ~~8H.~~ Solicit after dark, which shall mean one-half hour after sunset until one-half hour before sunrise.

8.32.030 License or permit.

Nothing in this ~~e~~Chapter shall ~~be construed to~~ prevent a person from acting in accordance with a valid license or permit.

8.32.040 Penalty.

Any person violating any provisions of this ~~e~~Chapter shall be ~~punished by a fine of~~ not more than ~~one thousand dollars (\$1,000.00)~~ or ~~may be~~ imprisoned ~~not to exceed~~ for no more than ninety (90) days, or by both, per violation such fine and imprisonment.

Chapter 8.34 KRATOM REGULATIONS

8.34.010 ~~Definitions~~ Prohibition of sale of kratom.

~~No business shall sell or offer to sell within the Town any kratom products. "Kratom" means a product containing Mitragyna speciose, mitragynine, or 7-hydroxymitragynine or Mitragyna speciose, mitragynine, or 7-hydroxymitragynine derivatives in any form intended to be ingested, absorbed, inhaled, chewed, or applied to an individual's skin.~~

8.34.020 ~~Definitions~~ Sale of kratom prohibited.

~~"Kratom" means a product that contains Mitragyna speciose, mitragynine, or 7-hydroxymitragynine or Mitragyna speciose, mitragynine, or 7-hydroxymitragynine derivatives in any form that is intended to be ingested, absorbed, inhaled, chewed, or applied to the skin of an individual. No business shall sell or offer to sell within the Town any kratom products.~~

8.34.030 Penalty.

Any person ~~who is~~ convicted of, or ~~who~~ pleads guilty or no contest to a violation ~~of this~~ ~~e~~Chapter shall ~~receive a penalty of~~ ~~be~~ fined ~~of~~ not more than ~~one thousand dollars (\$1,000.00)~~ or ~~be~~ ~~by imprisonment for no more than~~ not to exceed ~~ninety (90) days in jail, or both, per violation.~~

Chapter 8.36 UNLAWFUL CAMPING

8.36.010 Definitions.

A. —“Camp” ~~shall means~~ using property for the purpose of unauthorized overnight occupancy, residing or dwelling on public property with shelter overnight, or using public property for the purpose of overnight or longer occupancy to pitch, use, or occupy camp facilities for the purposes of habitation, as evidenced by the use of camp paraphernalia. Evidence of unauthorized camps includes, but is not limited to, sleeping or making preparations to sleep by laying out personal belongings, bedding, bedroll(s), blanket(s), sleeping pad(s), sleeping bag(s), erecting or occupying a tent, makeshift shelter, lean-to, tarpaulin, enclosure, or other structure used for overnight living purposes, or any form of cover or protection from the elements other than clothing, or making or preparing for a fire, setup or using a camp stove, cooking device, or other type of heating source except for grills and personal grills permitted in designated areas by the Park Department. Camp shall include using a vehicle for overnight occupancy. Camp shall not include the ordinary use of the parks such as resting, sleeping, or napping during the day, picnicking, picnicking on a blanket, or using parks or other public property for lawful purposes during normal park hours.

B. —“Camp facilities” ~~shall include but are not limited to tents, huts, temporary shelters, or vehicles if said vehicle is being used as a temporary living quarters.~~

C. —“Camp Paraphernalia” ~~includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks or cooking facilities or equipment.~~

D. —“Park” ~~shall means~~ the same as defined in Section 12.28.020 of this Code.

“Recreational vehicle” means a travel trailer, motor home, truck camper, or camping trailer primarily designed and used as temporary living quarters, that is either self-propelled, mounted on or drawn by another vehicle, transient, not occupied as a primary residence, and not immobilized or permanently affixed to a mobile home lot.

“Reside or dwell” means, without limitation, conducting such activities as eating, sleeping, cooking, or storing personal possessions.

“Shelter” means, without limitation, any cot, bed, mattress, hammock, tent, tarpaulin, lean-to, sleeping bag, bedroll, blankets, or any form of cover or protection from the elements other than clothing.

E. —“Store” ~~shall means~~ to put aside or accumulate for use when needed, to put for safekeeping, to place, or leaving in a location.

F. —“Street” ~~shall mean any highway, lane, road, street, right-of-way, boulevard, alley, and every way or place in the Town of Monument open as a matter of right to public vehicular travel.~~

8.36.020 Unlawful camping.

For purposes of promoting the health, safety and welfare within the Town, it shall be unlawful for any person to camp in the following areas any park, street, or publicly owned parking lot or publicly owned area, improved or unimproved, except as permitted pursuant to Section 8.36.060 of this Code. For purposes of this Subsection, public property means, but is not limited to, a highway, highway median, street, street median, road, road median, alley, sidewalk,

strips of land between streets and sidewalks, lanes, catch basins, pedestrian or transit mall, bike path, greenway, public parking lot, or any other structure or area encompassed within the public right-of-way; any park, parkway, mountain park, open space, natural area, all Town owned or managed trails or hard surface trails and areas adjacent to those areas, beach, playground, or other publicly owned recreation facility; a municipal watercourse, bodies of water, watercourses, stormwater infrastructure such as, but not limited to, bridges, pipes, inlets, and culverts; or any other grounds, buildings, or other facilities owned or leased by the Town or any other public entity regardless of whether such public property is vacant or occupied and actively used for any public purpose.

A. ~~Any park;~~

B. ~~Any street;~~

C. ~~Any publicly owned parking lot or publicly owned area, improved or unimproved.~~

8.36.030 Storage of personal property in public places.

It shall be unlawful for any person to store personal property, including camp facilities and camp paraphernalia, in ~~the following areas~~any park, street, or publicly owned parking lot or publicly owned area, improved or unimproved, except as otherwise provided by ordinance or as permitted pursuant to ~~Section 8.36.060 of this Code.~~

A. ~~Any park;~~

B. ~~Any street;~~

C. ~~Any publicly owned parking lot or publicly owned area, improved or unimproved.~~

8.36.040 Penalty for violations.

~~A person violating any of the provisions of this eChapter shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or be by imprisoned for no more than ment not to exceed ninety (90) days, or by both, per violation such fine and imprisonment.~~

8.36.050 Parked recreational vehicles exempt.

~~The provisions of this eChapter shall not apply to recreational vehicles parked on any street, or in any publicly owned parking lot, or publicly owned area, improved or unimproved, provided if said the recreational vehicle is not parked at that time being in the same spot for more than threeseven consecutive days without being moved used as a temporary living quarters. For purposes of this chapter, "recreational vehicle" means a travel trailer, motor home, truck camper, or camping trailer that is primarily designed and used as temporary living quarters, is either self-propelled or mounted on or drawn by another vehicles, is transient, is not occupied as a primary residence, and is not immobilized or permanently affixed to a mobile home lot.~~

8.36.060 Permit.

The Town Manager or designee ~~is authorized to may~~ permit persons to camp, occupy, and use camp facilities shelters, use camp paraphernalia, or store personal property in parks, streets, or any publicly owned parking lot or publicly owned area, improved or unimproved, in the Town ~~of Monument~~. The Town Manager or designee shall approve a permit ~~as provided~~ under this ~~s~~Section

~~when if, from a consideration of the~~ permit application and ~~from such~~ other information provided
~~or as may~~ otherwise be obtained, ~~it is determined~~ demonstrates all the following that:

- ~~1A.~~ Adequate sanitary facilities are provided and accessible at or near the camp site.
- ~~2B.~~ Adequate trash facilities and trash collection ~~is will to~~ be provided.
- ~~3C.~~ The camping activity will not unreasonably disturb or interfere with the peace, comfort, and repose of private property owners.
- ~~4D.~~ The camping activity is not reasonably likely to cause injury to persons or property, ~~to~~ provoke disorderly conduct, or create a disturbance.

Any person denied a permit may appeal the denial to the ~~Board of Trustees~~ Town Council
by submitting such appeal in writing. The

Notice of ~~a~~ Appeal ~~must shall~~ be ~~in writing and must be~~ filed with the Town Clerk within seven
calendar days from the date of denial. Town Council's decision on the appeal shall be final.

**MONUMENT TOWN COUNCIL
MEETING MINUTES**

Monday, December 15, 2025 - 6:30 PM

Monument Town Hall - 645 Beacon Lite Rd., Monument CO 80132

Hybrid Meeting - Remote Participation Via Teams

1. Call to Order, Pledge of Allegiance, Roll Call:

Mayor Mitch LaKind called the regular meeting of the Monument Town Council and led those assembled in the Pledge of Allegiance. Proper notice of the meeting was posted for more than 24 hours in the designated posting locations. The following Councilmembers and staff were present for the meeting:

TOWN COUNCIL	TOWN STAFF
PRESENT: Mayor Mitch LaKind Mayor Pro Tem Steve King Councilmember Sana Abbott Councilmember Marco Fiorito Councilmember Kenneth Kimple Councilmember Laura Kronick Councilmember Chad Smith	Madeline VanDenHoek, Town Manager Patrick Regan, Police Chief Tina Erickson, Town Clerk Ashley Hernandez-Schlagel, Town Attorney Will Williams, Director of IT Thomas Tharnish, Director of Public Works Jennifer Phillips, Director of Finance Laura Hogan, Director of Administration Dan Ungerleider, Director of Planning

2. Disclosures of Conflicts of Interest:

- a. Disclosures of Potential Conflicts of Interest
- b. Vote on Excluding Council Members With Potential Conflicts of Interest From Consideration, Discussion and Voting on Identified Matters

No potential conflicts of interest were disclosed.

3. Approval of the Consent Agenda:

- a. Agenda - December 15, 2025
- b. Meeting Minutes - December 1, 2025

Councilmember Marco Fiorito made a motion to approve the consent agenda as presented, the motion was seconded by Councilmember Laura Kronick. Roll call vote was taken and the motion passed 7 to 0.

4. Recognition:

- a. Employee Anniversary Recognition

VanDenHoek recognized the following employees for their milestone

employment anniversaries:

- Thomas Tharnish, Public Works Director, 25 years
- Rob Enoch, Senior Mechanic, 25 years
- Rob Stewart, Corporal/Traffic Safety Officer, 25 years
- James Schubauer, Parks Superintendent, 15 years
- Bradley Kunkle, Police Officer, 5 years

5. Ordinances: *Public Hearing(s) Required*

a. Ordinance No. 28-2025 - An Ordinance Establishing a Use Tax Rebate on Construction Materials for Accessory Dwelling Units for Low- and Moderate-Income Households

Ungerleider presented ordinance no. 28-2025 as included in the council packet. Mayor Pro Tem King asked if short-term rental language should be removed. Ungerleider explained that the language clarifies that the use tax rebate is not applicable to short-term rentals. Mayor Mitch LaKind opened the public hearing and no comments were received. Mayor Mitch LaKind closed the public hearing. Councilmember Marco Fiorito made a motion to approve ordinance no. 28-2025 and the motion was seconded by Mayor Pro Tem Steve King. Roll call vote was taken and the motion passed 7 to 0.

b. Ordinance No. 27-2025 - An Ordinance Granting Approval of a Final Planned Unit Development for Conexus Filing No. 4 for Meritage Homes

Andrea Barlow, Principal with N.E.S., introduced Chelsea Green, Director of Entitlement for Meritage Homes, and reviewed the project as outlined in the council packet, including property history, prior Town approvals, Planning Commission recommendations, next steps, and the project timeline. Council discussed the planned renaming of Crossfield Drive, right-of-way width standards for a major collector, and ingress and egress concerns. Ungerleider clarified that the current request applies only to Lot 2, that previously approved infrastructure is outside the scope of this action, and that a Monument Fire District review has been completed and approved. It was noted that bike lanes are not included due to the presence of the Santa Fe Trail. Council asked questions regarding roadway widths, lot sizes, basements, parking impacts, and noise mitigation. Green described mitigation measures including privacy fencing, upgraded building materials, landscaping buffers, and guest parking provided via alleys and motor courts. Mayor Mitch LaKind opened the public hearing. Brandy Turner spoke in support of the project, citing collaboration with Meritage Homes and appreciation for the residential buffer between existing neighborhoods and planned commercial uses. King noted the project represents a shift from previously planned warehouse use to primarily residential development with reduced density. Mayor LaKind closed the public

hearing. Councilmember Chad Smith moved to approve Ordinance No. 27-2025, seconded by Councilmember Marco Fiorito. A roll call vote was taken, and the motion passed 7–0.

6. Resolutions:

a. Resolution No. 73-2025 - A Resolution Approving a Final Plat for Conexus Filing No. 4, a Replat of Conexus Filing No. 2 – Lot 2, for Meritage Homes

Ungerleider presented resolution no. 73-2025 as included in the council packet. Mayor Mitch LaKind opened the public hearing and no comments were received. Mayor Mitch LaKind closed the public hearing and acknowledged the willingness of Schuck Chapman Companies to work with the community regarding this development. Councilmember Marco Fiorito made a motion to approve resolution no. 73-2025 and the motion was seconded by Mayor Pro Tem Steve King. Roll call vote was taken and the motion passed 7 to 0.

b. Resolution No. 74-2025 - A Resolution to Authorize the Certification of the Property Tax Mill Levy to the El Paso County Assessor for the Fiscal Year 2026 Beginning on the First Day of January 2026, and Ending on the Last Day of December 2026

Phillips presented resolution no. 74-2025 as included in the council packet. Councilmember Chad Smith made a motion to approve resolution no. 74-2025 and the motion was seconded by Councilmember Laura Kronick. Roll call vote was taken and the motion passed 6 to 0. *(Councilmember Marco Fiorito stepped out of the meeting when this roll call vote took place.)*

7. Public Comments For Items Not on the Agenda:

- Daniel DeBoo praised Council and staff for responsible governance and fiscal stewardship, citing long-term employee recognition, and expressed disappointment with low public attendance.
- Bill Wysong, El Paso County Commissioner for District 3, stated his support for the Town Council and emphasized the importance of sharing positive news. He highlighted the County's free property fraud alert program and noted that enhanced County Planning Department mapping and information will be available in the first half of next year.

8. Future Agenda Item Authorization:

- Review of committee assignments.
- Councilmember Fiorito and Mayor Pro Tem King attending the February 18 Loop Study Session.

- Mayor Pro Tem King and Councilmember Kronick working with Human Resources on the process for hiring a staff attorney.

9. Reports:

a. Town Manager's Monthly Report

VanDenHoek highlighted recent Town accomplishments, including holiday park lighting, water operators license achievements, Police Department fundraising and community programs, \$1,000 raised for Parks through Zombie permits, Finance Department staff efforts on the budget, Robert Grimaldo's work on the Veregy project, the installation of the Monument Lake restrooms, and the opening of new businesses in Town.

10. Council Comments:

- Councilmember Kimple urged updating roadway design criteria and adding bike lanes on the west side of Town.
- Mayor LaKind recognized Commissioner Wysong at the Tree Lighting Ceremony, commended staff for the event, and extended holiday greetings.

11. Executive Sessions:

a. Executive Session Pursuant to 24-6-402(4)(b), C.R.S. for a Conference with the Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions Regarding Pending Legal Projects

Councilmember Marco Fiorito made a motion to enter into executive session pursuant to 24-6-402(4)(b), C.R.S. for a conference with the town attorney for the purpose of receiving legal advice on specific legal questions regarding pending legal projects and to immediately adjourn the regular meeting upon conclusion of executive session. The motion was seconded by Councilmember Laura Kronick. Roll call vote was taken and the motion passed 7 to 0. Council entered executive session at 8:30 PM.

12. Adjournment:

Council resumed and adjourned the regular meeting at 9:07 PM.

Respectfully Submitted,

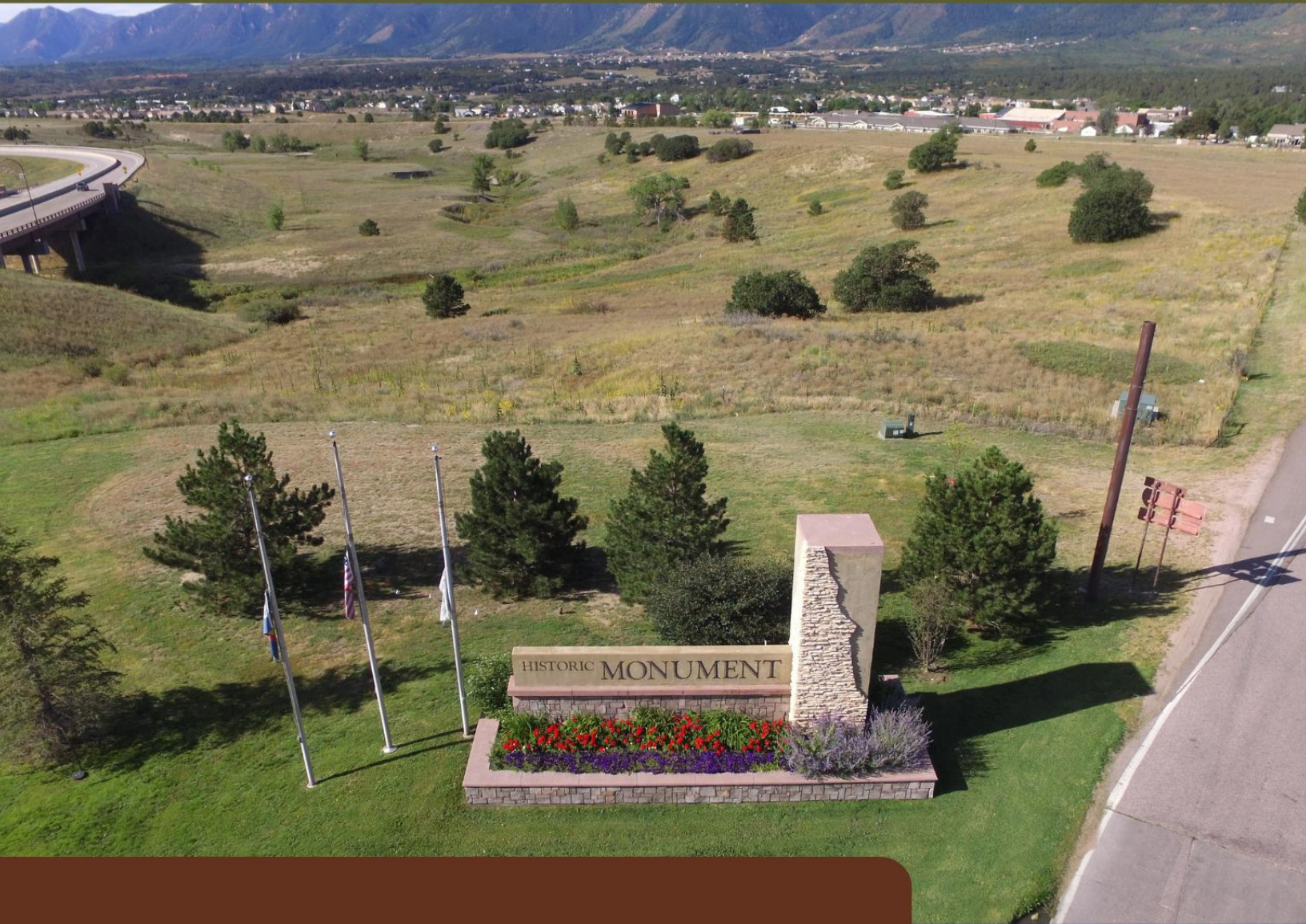
Laura Hogan
Director of Administration/Deputy Clerk

draft



Strategic Plan

2026 - 2028



Town of Monument

645 Beacon Lite Road
Monument, CO 80132

www.townofmonument.org



Table of Contents

Monument Strategic Plan Page 2

Monument Vision Statement Page 3

Monument Strategic Priorities Page 4

Monument Strategic Objectives Page 5–8

Strategic Plan Accountability Measures Page 9





Monument Strategic Plan

The Town of Monument has embraced the need to develop and implement a **simple**, **focused**, and **accountable** strategy to move the town closer to the future it desires.

The Monument Strategic Plan 2026-2028 was developed in close collaboration with the Town Council and town staff, through a series of study sessions and public Council meetings over the past year. This strategic plan consists of three core elements, each formally adopted by a formal resolution of the Town Council:

The Vision Statement: The most important component of the strategy, the Vision Statement defines the community's "essence," or who they are and how they view themselves, and what they aspire to be and do. This is a timeless statement, and only changes when the community no longer views itself in the same way.

Strategic Priorities: Keeping with the principle of focus, the Strategic Priorities share what are the most important priorities to the Town Council to be addressed by the town administration over the next three years (2026-2028), in order to support and achieve the Vision Statement.

Strategic Objectives: These are the "action items," or specific plans, projects or initiatives to be accomplished by the town administration from 2026-2028, in direct support of the Strategic Priorities.

Strategic Plan Approach and Elements



A Three Step Approach:

Town Council adopts a **VISION STATEMENT**, which informs the selection of focused **STRATEGIC PRIORITIES**. Town staff then develop supporting **STRATEGIC OBJECTIVES** to address the priorities and be implemented and accomplished over a three-year period.





Monument Vision Statement

What is the Vision of the Town of Monument, Colorado?

Situated at the gateway to the Pikes Peak region, the Town of Monument stands out as a friendly, close-knit community that offers both a sense of small town charm and access to the conveniences and amenities of modern living. In recent years, the popularity and opportunities available in this area of Colorado, including Monument, have resulted in significant growth and development. Amidst this change, the vision and commitment of the Town of Monument remains steady: **To ensure a safe, welcoming and productive community that empowers individuals and families to prosper together and enjoy the quality lifestyle that they desire.** Forecasting into the future, Monument will remain prepared and capable of balancing responsible growth and development while continually meeting the needs of its residents and preserving its unique small town character all have come to admire and appreciate, including protecting the inspiring natural surroundings which the community values and respects.

Because of our Vision, the Town of Monument will always do the following things:

- Set conditions for responsible and thoughtfully planned community growth, while maintaining Monument's small town charm and appeal.
- Protect Monument's natural resources and beauty while enabling community enjoyment of open spaces and recreation opportunities.
- Ensure cooperative, transparent and inclusive town governance.
- Deliver professional, high quality town services that the community deserves and expects.
- Consider the interests and perspective of Monument's neighboring communities and residents.





Strategic Priorities 2026-2028

Acknowledging the Vision Statement, these are the highest priorities of the Town of Monument for the next three years:

ENSURE LONG TERM FINANCIAL HEALTH AND SUSTAINABILITY: Take steps to support long-range financial health, forecasting and sustainability to ensure efficient and resilient town services and invest in the Monument community.

STRENGTHEN COMMUNITY ENGAGEMENT: Enhance community engagement, focused on strengthening communication and collaboration with Monument residents, neighboring communities and partners, and town administration.

ENABLE RESPONSIBLE COMMUNITY DEVELOPMENT: Establish clear and accountable plans, processes and procedures that create positive conditions for responsible and enduring community development and growth.

REINFORCE A POSITIVE WORK CULTURE: Continue to promote a positive and professional work culture within the town administration that attracts and retains top talent and further enhances the high-quality services provided to the Monument community.





Strategic Objectives 2026-2028

These are the specific “action items” that the Town of Monument will implement over the next three years to directly support the four strategic priorities selected by the Town Council.

All objectives are directly linked to the strategic priority they support:

SUPPORTED PRIORITY: ENSURE LONG TERM FINANCIAL HEALTH AND SUSTAINABILITY (FHS):

FHS 1: Beginning in June 2026 and annually through 2028, the Finance Department will complete an independent financial audit and report results of the audit to Town Council and the public.

FHS 2: Beginning in September 2026 and updated annually through 2028, the Finance Department will develop and present to Town Council for approval a Long Range Financial Forecast.

FHS 3: Beginning in December 2026 and updated annually through 2028, the Finance Department will develop and present to Town Council for approval a 5-year long-range Capital Improvement Plan.

FHS 4: Beginning in December 2026 and completed annually through 2028, the Finance Director will complete and present a balanced budget proposal to Town Council for approval.

FHS 5: Beginning in December 2026 and annually through 2028, the Finance Department will complete an evaluation and present to Town Council and public recommendations for any adjustments to town water rates.

FHS 6: Beginning in December 2026 and annually through 2028, the Finance Department will complete an evaluation and present to Town Council and public recommendations for any adjustments to town service fees.

FHS 7: No later than December 2026, the Information Technology (IT) Department will complete a comprehensive assessment of the Town of Monument’s technology environment and identify key actions for implementation and standardization to enhance IT security, reduce financial risk and support long-term fiscal sustainability.





FHS 8: No later than December 2026, the Public Works Department will complete and implement preventative maintenance and asset replacement programs to include:

- Preventative maintenance programs for roads, parks and town facilities
- Replacement programs for town vehicles and equipment

FHS 9: No later than June 2026, the Town Manager will present a recommended option to Town Council for a long-term renewable town water supply.

FHS 10: No later than December 2027, the Water Department will complete Phase I of a program to reduce water loss and extend the lifespan of the water system.

SUPPORTED PRIORITY: STRENGTHEN COMMUNITY ENGAGEMENT (SCE):

SCE 1: No later than June 2026, the Finance Director will complete and present options and recommendations for town expense reductions and revenue enhancements to the Citizens Service Levels Advisory Committee.

SCE 2: No later than June 2026, the Police Department will formalize and launch a comprehensive community engagement strategy, to include the following elements and actions:

- Expanded Community Resource Officer duties
- Increased bike patrol activities and coverage
- Consistent social media outreach
- Dedicated School Resource Officer presence
- Enhanced public dialogue and transparency through the Chief's Advisory Board

SCE 3: No later than June 2026 and June 2028, the Director of Administration, in coordination with the Town Clerk, will develop, organize and complete a Town Council Candidate Information Session for the 2026 and 2028 Elections.

SCE 4: No later than December 2026 and annually through 2028, the Town Manager will develop and implement an updated Emergency Management Program, to include the following elements and actions:

- Complete an update to the town Emergency Response and Continuity Plans
- Initiate emergency preparedness training and exercises annually
- Conduct public education and outreach on emergency preparedness
- Build town emergency response capabilities, certifications and resources
- Develop administrative and finance systems to manage disaster response and recovery





SCE 5: No later than December 2026, the Public Works Department will launch a public information and education campaign about Town projects and maintenance programs.

SCE 6: No later than December 2027, the Town Records Manager will develop and implement a streamlined town-wide electronic records management system (ERMS) to include an online public access portal.

SCE 7: No later than December of 2027, the Communications Specialist will develop and complete implementation of a comprehensive town-wide communications plan.

SCE 8: Beginning in July 2026 and biannually through 2028, the Water Department will provide an update presentation to the public on water testing and sampling program results, as well information on actions to maintain water quality.

SUPPORTED PRIORITY: ENABLE RESPONSIBLE COMMUNITY DEVELOPMENT (ERD):

ERD 1: No later than January 2026 and continuing monthly through 2028, the Public Works Department will implement an updated Development Inspection Program.

ERD 2: No later than December 2028, the Town Manager will develop, present and establish a comprehensive Economic Development Strategy, to include the following elements and actions:

- Complete and adopt the Monument 2040 Comprehensive Plan
- Update Town Codes related to business attraction, expansion and retention
- Launch an economic development communications plan
- Implement plans to identify grant opportunities for pre-identified initiatives

ERD 3: No later than December 2028, the Public Works Department will improve operations and maintenance facilities, to include:

- Completion of a multi-use storage garage for water and public works assets
- Integrate garage with vehicle maintenance, inventory, and emergency response needs
- Seek Capital Improvement Plan allocation for construction and energy upgrades

ERD 4: No later than December 2028, the Town Clerk will develop, initiate and fully implement a Business Outreach and Licensing Compliance Program, and report progress and recommendations annually to Town Council.





SUPPORTED PRIORITY: REINFORCE A POSITIVE WORK CULTURE (PWC):

PWC 1: Beginning in March and September of 2026 and annually through 2028, the Human Resources Manager will complete an employee survey and present results and recommendations to the Town Manager and Town Council.

PWC 2: No later than May 2026, the Public Works Department will complete cross-training of public works staff to ensure redundancy and enhance employee skills and experience in the following areas:

- Water breaks
- Snow removal
- Street patching

PWC 3: No later than December 2026, the Information Technology Department will develop and present a policy for Town Council approval on artificial intelligence (AI) utilization.

PWC 4: No later than December 2026 and annually through 2028, the Human Resources Manager will propose updates to town employee positions and pay plans, and include findings and recommendations as part of the annual balanced budget proposal to Town Council.

PWC 5: No later than December 2026 and annually through 2028, the Human Resources Manager will complete and present to Town Council for approval an update of the Town Employee Handbook.

PWC 6: No later than December 2026 and annually through 2028, the Human Resources Manager will complete and present for approval by the Town Manager a Supervisor Procedural Handbook and Training Paths Outline.

PWC 7: No later than December 2026 and updated annually through 2028, the Police Department will complete and launch a Leadership Development Plan for department officers to include:

- Departmental policy for standardized training classes by officer rank
- Developmental roadmaps and career enhancement plans for all officers

PWC 8: No later than December 2028, the Police Department will complete requirements and successfully attain Colorado accreditation through CACP (Colorado Association Chiefs of Police).





Strategic Plan

Accountability Measures

A strategic plan is only valuable if those who adopted it hold themselves accountable for its implementation. Over the next three years, the Town of Monument Administration will routinely provide updates to Town Council and the public on the progress they are making in implementing the 2026-2028 Town of Monument Strategic Plan.

Strategic Plan Implementation

The Monument Town Manager will do the following things to facilitate accountability to the 2026-2028 Strategic Plan:

- Routinely track the status of each strategic objective in the plan
- Provide at least bi-annual presentations to Town Council and the public on the implementation and progress of each strategic objective
- Make recommendations and provide options regarding any changes or amendments to the strategic plan
- Ensure that presentations or other helpful products showing progress on the plan are made available on the Town of Monument website or are provided to the public upon request

An important note: This strategic plan is flexible, and can be amended as needed to address current conditions or emerging needs in the community. To maintain accountability, any changes to the plan will be presented at a public meeting and will be considered and approved by action of the Monument Town Council.





MEMORANDUM

TO: The Honorable Mayor and Town Council
FROM: Dan Ungerleider, AICP, Director of Planning
DATE: January 5, 2026
SUBJECT: Ordinance No. 22-2025 – An Ordinance Granting Approval of the Final Planned Unit Development for Santa Fe Business Park, Lot 2 Terrazzo Baja Commercial Development, located at the northwest corner of Terrazzo Drive and La Campana Drive [Public Hearing]

BACKGROUND.

The Santa Fe Business Park, Lot 2 Terrazzo Baja Commercial Development (the “Project”), is located north of Baptist Road, west of I-25, and east of the Santa Fe Regional Trail/ Old Denver Road. Each parcel within the Terrazzo Baja Commercial Development is required to obtain Final Planned Unit Development (PUD) approval prior to the issuance of a land development and building permit for that subject parcel. The Applicant, N.E.S Inc, on behalf of Santa Fe Park LLC, is seeking Final PUD approval for the construction of an industrial/warehouse/office/retail facility.

On December 1, 2025, Town Council conducted a public hearing after receiving the Planning Commission’s November 12th recommendation to approve the Applicant’s request for Final PUD approval of the subject development. During the public hearing, Council expressed concerns regarding the Development’s compliance with Municipal Code design standards, including building size, materials, colors, and the permitted number of loading doors. Additionally, questions were raised about its consistency with the established landscape design and fencing standards established by the approved Preliminary PUD for the property.

While Town Council expressed overall support for the proposed mixed-use development, Town Council unanimously agreed to continue the public hearing to January 5, 2026, to allow the Applicant the opportunity to address questions and concerns expressed during the hearing.

DISCUSSION.

During the December 1, 2025, public hearing, [Section 18.04.150 – Industrial uses](#) was referenced by Council, questioning if the proposed development complies with the design standards listed in that section of Code. This Section is part of Article 1 addressing Supplementary Uses, in this case, Industrial Uses. As proposed, each of the proposed buildings are not designed exclusively for industrial uses, but rather a mix of smaller industrial, warehouse, office and retail uses. All buildings will have 5,000 sf of industrial/warehouse/retail/office space. The intent of this section is to address issues that may arise when developing large buildings that will exclusively contain industrial uses.

As proposed, the entirety of Section 18.04.150 is not applicable for this project and its intended use. With that said, Section 18.01.150 does provide some standards that should be considered when approving a Final PUD of this nature.

Since the December 1 public hearing, the Applicant has worked with the Town's Planning Staff to better understand the basis of Council's questions and to modify the proposed development accordingly. The proposed revisions are as follows:

1. **Building Materials and Color.** Coronado Stone Veneer has been added to the base of the elevations facing the exterior of the property. The color of the building has been changed from Bone White, Ash Gray, and Dark Bronze to Slate Gray, Dark Charcoal, and Dark Bronze. A Gray Rough Sawn Cedar panel is still proposed on the street facing elevation of each building.
2. **Loading Doors.** Section 18.04.150 requires no more than one (1) ground-level garage loading per five thousand (5,000) square feet of indoor building warehouse space. Given that these buildings are designed for a mix of smaller industrial, warehouse, office, and retail uses, this standard is not applicable. As proposed, each leasable space, ranging from 2,884 sf to 10,598 sf, is provided with one (1) ground-level garage loading door on the rear elevation of the building. The Applicant has revised Building 1 by eliminating one (1) garage door, reducing the number of doors to match the number of leasable spaces within that building.
3. **Outdoor Storage.** The Preliminary PUD governing the property permits outdoor storage when "it is incidental and commonly associated with the operation of the permitted use" and when "it is operated and maintained under the same ownership/lessees/concessionaires and on the same site as the permitted use."

Buildings 1 and 2 include enclosed and screened outdoor storage areas. A soft asphalt milling surface is provided in these areas to avoid unnecessary impervious surface and to encourage stormwater infiltration and water treatment. The fencing around the perimeter of the outdoor storage areas has been replaced with a six (6) foot tall PVC solid fence matching the color of the building. A PVC fence meets the intent of the approved Preliminary PUD and complies with the material specifications required by the upcoming State Fire Resiliency Code. Vehicle parking/storage and storage of items greater than twenty (20) feet in height will be prohibited within the designated outdoor storage areas.

4. **Landscape Standards.** Staff reviewed the landscape standards stipulated by the Preliminary PUD governing the site and found that the proposed landscape plan complies with, and in many cases, exceeds those standards. The proposed landscape Plan provides a combination of evergreen and deciduous tree screening between the Santa Fe Trail and Building 1's outdoor storage. In all, the proposed landscape plan includes the required number of trees along the Santa Fe Trail, La Campana Drive and Terrazzo Drive, and

exceeds the ratio of evergreen trees to deciduous trees along the Santa Fe Trail. The applicant has proposed adding two (2) additional trees to bring the number of parking lot trees from 20 to 22, in compliance with the Preliminary PUD.

5. **Traffic Impact Study and Circulation.** A question was also raised about the potential impact of truck traffic by the development. The Applicant provided a Traffic Generation Analysis for the project. The Report, prepared by SM Rocha, LLC, dated 11/6/2025, concludes that the proposed development is expected to not have a negative impact on traffic operations for the surrounding roadway network. Based on the current data and analysis included in the Applicant's 11/6/2024 report and the review conducted by the Town's Engineering consultant, Town Staff concurs with this assessment.

During the December 1, 2025, public hearing, concern was expressed regarding emergency access to the buildings. The Monument Fire District is one of many reviewing agencies participating in the Town's development design review process. The Monument Fire District did review the layout of the buildings, outdoor storage and parking lot, and endorsed the development's site circulation as proposed.

CONCLUSION.

Staff has found that Section 18.04.150 is not applicable to this proposed mixed-use development. Staff believes the Applicant has addressed the concerns expressed during the December 1, 2025, public hearing and in compliance with the underlying Preliminary PUD governing the property.

REQUESTED ACTION.

A motion to **APPROVE** Ordinance No. 22-2025, an Ordinance Granting Approval of the Final Planned Unit Development for Santa Fe Business Park, Lot 2 Terrazzo Baja Commercial Development, located at the northwest corner of Terrazzo Drive and La Campana Drive, supported by the following exhibits and with the condition that permitted outdoor storage be no more than twenty (20) feet in height.

- A. Legal Description ([link](#))
- B. Final Planned Unit Development/Site Plan for Santa Fe Business Park, prepared by N.E.S, Inc, last revised 9/22/2025 ([link](#)), revised as presented and described in Staff's memorandum, dated 1/5/2026.
- C. Final Drainage Report for Santa Fe Business Park, prepared by JR Engineering, dated June 2025 ([link](#)).
- D. Updated Traffic Generation Analysis, prepared by SM Rocha, LLC, dated 11/6/2025 ([link](#)).
- E. Planning Commission Findings of Fact, dated 11/12/2025 ([link](#)).

Attachments.

1. Location, Zoning and Future Land Use Maps
2. Draft Minutes from Planning Commission Meeting, dated 11/12/2025.
3. Staff Presentation II, dated 1/5/2026.
4. Ordinance No. 22-2025 – An Ordinance Granting Approval of the Final Planned Unit Development for Santa Fe Business Park, Lot 2 Terrazzo Baja Commercial Development, located at the northwest corner of Terrazzo Drive and La Campana Drive.

Staff Report - Santa Fe Business Park

ATTACHMENT 1 – Aerial, Location and Future Land Use Map



Figure 1 - Aerial Map



Figure 3 – Future Land Use Map

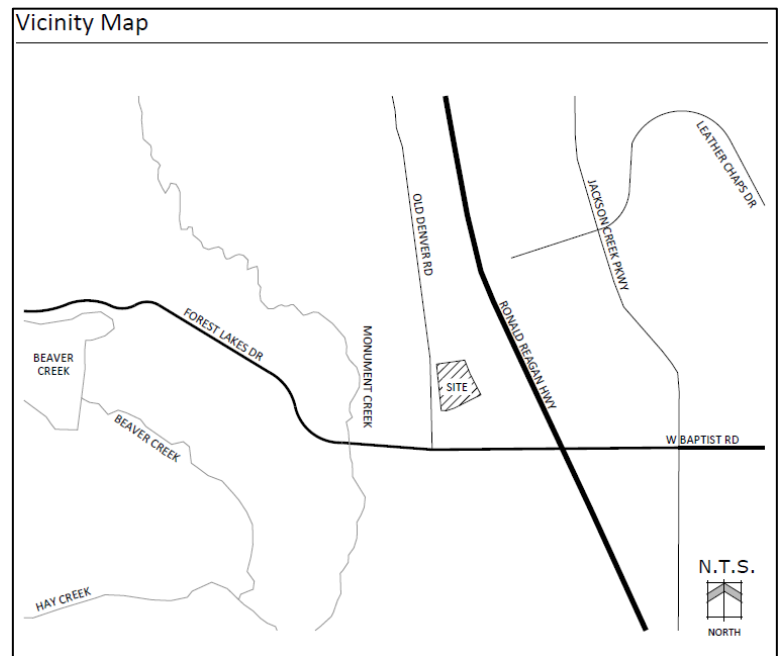


Figure 2 - Location Map



**TOWN OF MONUMENT PLANNING COMMISSION - DRAFT
REGULAR MEETING**

Wednesday November 12th, 2025

Hybrid Meeting-In person and remote participation Via Microsoft TEAMS

1. Call to order, Pledge of Allegiance, Roll Call:

- a. Chair Egley called the meeting/hearing of the Planning Commission of the Town of Monument, Colorado, to order at 6:00 pm at Monument Town Hall and led those assembled in the Pledge of Allegiance.

PLANNING COMMISSION	TOWN STAFF
PRESENT: Chair Ray Egley Vice-Chair Corey Petersen Commissioner Cathy Green Commissioner Donna Hatch Commissioner Daniel Ours Commissioner John Parr Commissioner Martin Trujillo Alternate Commissioner Valerie Baumer	Rey Medina, Planner I Dan Ungerleider, Planning Director
ATTENDED REMOTELY:	
ABSENT: Commissioner Daniel Ours	

2. Approval of Minutes/Agenda Modification

- a. Move to approve the minutes of October 8th, 2025, Planning Commission Meeting.
Commissioner Trujillo motioned to approve the minutes; Commissioner Parr seconded; passed 7-0.

3. Hearing/Meeting Items

3a. PUBLIC HEARING: *a. Case #'s 25MON-FPUD00002 and 25MON-PFP00002 A Request for the Approval of the Final Planned Unit Development (FPUD) and the Final Plat for Conexus Filing No. 4, a Replat of Lot 2 in Conexus Filing No. 2 of the Conexus Planned Development. [Public Hearing].*

- i. Public Hearing was open and closed with members of the public present.
- ii. Staff Presentation: Presented by Planner, Rey Medina.
- iii. Public Comments:
- iv. Commissioner Comments:
 - a) Green – What is the smallest lot size? 35x90 ft is the smallest lot size.
 - b) Green – Who owns the lots? Lots will be individually owned by homeowners.
 - c) Trujillo – Does the Traffic Memo included in this project account for development along Old Denver Road. Director Ungerleider responds clarifying that the traffic memo has accounted for future development along Old Denver Road.
 - d) Trujillo – Does the memo consider morning school traffic. Unknown by staff.
 - e) Trujillo – Has any pedestrian or bike conflict analysis been completed? Staff states that we worked with El Paso County to approve the trail crossings involved in this project.
 - f) Trujillo – Were new traffic counts used in the 2025 Memo or were they the same number

from the original traffic study. Staff concludes that the traffic memo used counts from the original study, the study that accounted for a higher density of units than proposed in the current PUD plan. Further discussion ensues from the applicant describing the projections of the traffic memo included with this project proposal.

- g) Commissioner Trujillo explained the basis of his traffic concerns coming from the lack of confidence in a traffic memorandum rather than a full complete traffic study.
- h) Petersen – Requested further clarification of the traffic study, explaining the original traffic study being based on a higher number of units.
- i) Parr – Landscaping around the homes, who's responsibility? Landscaping will be completed by Meritage Homes and rear yard landscaping will be at the request of home buyers and reviewed by Meritage before installation.
- j) Baumer – What is the setback between homes and the Santa Fe Trail? 20' buffer with a 6' fence.
- k) Baumer – Traffic Memo concerns, what criteria is being used to justify "negative" impact? Director Ungerleider discusses further detail regarding the traffic study. Applicant explains traffic studies are based on level of service, wait times, types of intersections, etc.
- l) Chair Egley – Potential condition proposed, the trail connection into this development be changed from 5' to 10'. Peterson discusses his concern over 10' being more of a regional trail size and proposes a 6' total over the requested 10'. Commissioner Hatch voices further concern about inviting a 10' trail because it invites users of the Santa Fe Trail to directly enter a residential subdivision into a resident's private space. Director Ungerleider adds trail hierarchy to the conversation to clarify some discussion points.
- v. Commissioner Green made a motion:
 - a) Motion: *"A motion to make a recommendation to APPROVE of the Final Planned Unit Development (FPUD) and the Final Plat for Conexus Filing No. 4, a Replat of Lot 2 in Conexus Filing No. 2 of the Conexus Planned Development, as supported by the attached finding of fact with the following conditions, a 6' trail be constructed rather than the proposed 5' trail and paved."*
 - b) Commissioner Hatch seconded the motion; motion passed (7-0).

3b. PUBLIC HEARING: *b. Case No. 25MON-FPUD00003 A Request for the Approval of the Final Planned Unit Development for lot 2 Terrazzo Baja Commercial Subdivision, located at the northwest corner of Terrazzo Drive and La Campana Drive [Public Hearing].*

- v. Public Hearing was open and closed with members of the public present.
- vi. Staff Presentation: Presented by Planner, Rey Medina.
- vii. Public Comments:
- viii. Commissioner Comments:
 - a) Green – Clarification of conditions for reports required for approvals.
 - b) Green – Lot coverage as proposed with this project is locked in, correct? Answer is yes, these coverages are locked in.
 - c) Green – Discussion of outdoor storage.
 - d) Trujillo – What degree of screening is involved with your outdoor storage. Applicant confirms 100% opac fence.
 - e) Trujillo – Discussion around need for warehouse space considering the vacant warehouse located near this site. Applicant discusses the differences between the vacant warehouse and their proposed project.
 - f) Peterson discusses offsite and onsite improvements that need to be made as part of overall construction.
 - g) Parr – Is this construction phased? Applicant responds that it could be phased but there is potential for it all to be built at one time. Discussion of order of building construction further ensues.

- h) Chair Egley – Will La Campana drive cannibalize the Santa fe trails parking lot entrance? Answer is no; the overall developer is making improvements to the parking lot. Is lighting being considered as an improvement? Director will deliberate with developer.
- i) Overall Commission – Discusses potential conditions for outdoor storage.
- vi. Commissioner Baumer made a motion:
 - c) Motion: *“A motion to make a recommendation to APPROVE the Final Planned Unit Development for lot 2 Terrazzo Baja Commercial Subdivision, located at the northwest corner of Terrazzo Drive and La Campana Drive, as supported by the attached finding of fact with the following conditions, a height restriction of 20’ be placed on outdoor storage.”*
 - d) Commissioner Green seconded the motion; motion passed (7-0).

4. Other Topics:

- a. Director Ungerleider welcomes the opportunity for Planning Commission to receive training on Traffic Studies and Drainage Reports from our Town Engineer.
- b. December PC is expected to be light. Town Staff would like to organize an afterhours to celebrate Commissioner Ours contribution to the community.

5. Adjournment: Chair Egley moved to adjourn the meeting/hearing of the Planning Commission at 8:17 pm.

Next Planning Commission Meeting: December 10th, 2025.

The public is welcome to attend either in person or online for the Planning Commission meetings. Town of Monument meetings/hearings Live Stream or video Meetings Online

- **Monument meetings/hearings live stream or video meeting recordings can be found online** - Please follow this (YouTube) link to view all PC meetings/hearings: <http://bit.ly/2uZxjfa>
- **Streaming meetings:** Instructions can be found on the Town website: <https://www.townofmonument.org/263/Planning-Commission-Board-of-Adjustment>
- **Meeting Minutes:** Minutes taken by staff are action summaries. As per the Planning Commission Bylaws, all public meetings of the Commission shall be recorded by electronic device. Any person desiring to have a meeting recorded by a stenographic reporter, at his or her expense, may do so, provided that it does not otherwise disrupt the proceedings.

IMPORTANT NOTE: Accommodations for the hearing impaired can be made upon request with 24 hours' notice. Please call 719-481-2954.

Reference: All Development project information can be found on the town website at <https://www.townofmonument.org/235/Development-Projects>.

Note that each project application submitted to the Town of Monument is reviewed fully by the Planning Department Staff prior to placement on the agenda of the Planning Commission or Town Council. At the meetings/hearings, applicants and Staff will provide details such as possible conditions, density, development capacity and all current and previous approvals. This will include project referrals, which are completed prior to all projects to verify conformance and approval criteria before being brought forth to the Planning Commission.



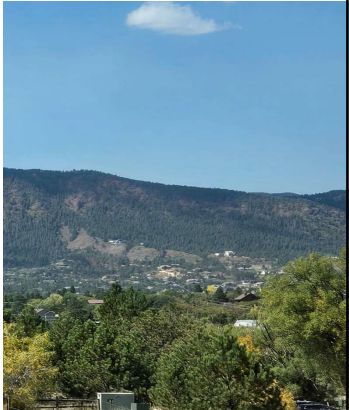
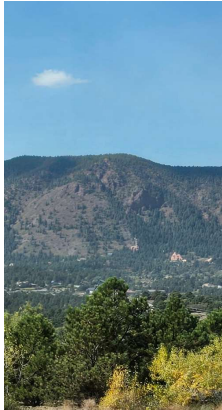
Santa Fe Business Park

Final PUD

Lot 2 Terrazzo Baja Commercial

Staff Presentation 2

Town Council - 01/05/2026
(public hearing, continued from 12/1/2025)



INTRODUCTION

The Applicant, N.E.S Inc, on behalf of Santa Fe Park JV LLC, is seeking approval of the Final Planned Unit Development for Lot 2, Terrazzo Baja Commercial Development, for the construction of an industrial/warehouse/office/retail facility. The proposed uses conform to the permitted uses outlined in the approved Preliminary Planned Unit Development and Terrazzo Baja Commercial Development Sketch Plan.

- Public Hearing was conducted by the Planning Commission on November 12, 2025.
- Public Hearing was conducted by Town Council on December 1, 2025, and continued to January 5, 2026, to allow the Applicant the opportunity to address questions and concerns expressed during the hearing.



2

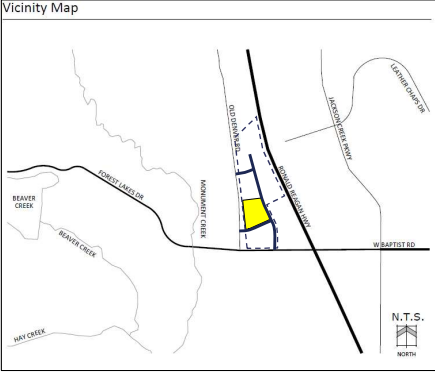
1/5/2026

Town Council Public Hearing – Santa Fe Business Park (continued from 12/1/2025)

APPLICATION/REQUEST

- Applicant.**
Jason Alwine, N.E.S Inc.
- Property Owner.**
Santa Fe Park, LLC
- Location.**
Lot 2 Terrazzo Baja Commercial
Northwest corner of Terrazzo Drive and La Campana Drive
- Request.**
Approval of the Final Planned Unit Development for Lot 2 Terrazzo Baja Commercial Subdivision.

Vicinity Map





3

1/5/2026

Town Council Public Hearing – Santa Fe Business Park (continued from 12/1/2025)

3

(* The following slides were provided by the applicant N.E.S. Inc. *)



4

1/5/2026

Town Council Public Hearing – Santa Fe Business Park (continued from 12/1/2025)

4

Timeline of Terrazzo-Baja Commercial Development Submittals

January 2008	Recorded MOU between El Paso County and developer granting 6 access points along length of Santa Fe Trail
July 2020	Preliminary PD Site Plan approved permitting industrial/ business/ commercial uses on 64.7 Acres
February 2025	Sketch Plan approved decreasing number of individual development sites from 26 down to 9 and modified stormwater design
May 2025 (Recording date)	Recorded Final Plat for 9 Lot commercial/ industrial development
In Progress	Off-site and adjacent roadway and utility construction drawings by others



NES

5

Santa Fe Park Preliminary PD Site Plan

- Proposed site was originally Lots 7-13 as shown on the approved Preliminary PD Site Plan
 - Recorded October 22, 2020
 - Reception No. 220168972
- Permitted uses include commercial; civic use; recreation; office; light industrial (warehouse/ mini-storage); multi-use; misc. such as utilities, parking, transit; and distribution center in industrial zones only.
 - Multi-Use: combined commercial, office or light industrial with multifamily residential
- No use type square foot minimums or maximums
- Proposed one water quality and detention pond for the entire Santa Fe Park



NES

6

Santa Fe Park Sketch Plan

- Sketch PD Plan approved early 2025 (Resolution No. 02-2025)
- Total site area 62.4 Acres
- Zoned PUD
- Mix of Uses: Civic, Commercial, Industrial, Business, Warehouse/ Distribution
- Decreased number of development sites from 26 down to 9
- Revised drainage intent for the area
 - Eliminated overall water quality and detention pond for development
 - Individual development sites now responsible for on-site water quality and detention



7

Approved Final Plat

- Final Plat Recorded May 16, 2025 (Reception No. 225715517)
- Site: Lot 2
- Total site area 10.3 Acres



8

Final PUD Plan – Site Plan

- Site: 10.3 Acres
- Zoned: PUD
- Proposed Industrial/Office/ Warehouse/Retail Use
- Building Square Feet Total: 125,500 SF
 - Buildings 1, 3 through 6: 22,000 SF each
 - Building 2: 15,500 SF
 - Maximum Building Height: 28' -2"
- Outdoor storage permitted behind Buildings 1 & 2
 - All outdoor storage screened as required
 - Maximum Height of materials: 20'
- Buildings 3/ 4 and 5/ 6 share access area
- Parking provided for up to 31,500 SF of retail space
- Parking provided for 94,000 SF of industrial/office/ warehousing space



NES

9

Final PUD Plan – Standards Comparison Chart		
Standards	Approved Preliminary PD Plan	Santa Fe Business Park Final PUD Plan
Permitted Uses	Commercial/ Civic/ Recreation/ Office/ Light Industrial/ Multi-use/ Office/Warehouse/ Distribution	Industrial/ Office/ Warehousing/ Retail
Maximum Height	90'	28'-2" Outdoor Storage 20' Max Ht.
Building Setbacks:		
Santa Fe Trail	25'	25'
Terrazzo Dr./ La Campana Dr.	20'	20'
Internal	10'	10'
Lot Coverage	40% Maximum	28% Proposed
Maximum Industrial Floorspace	N/A	N/A
Maximum Retail Floorspace	N/A	Up to 31,500 SF
Building Design	4 Sided Arch./ Storage Areas Screened	4 Sided Arch./ Outdoor Storage Screened
Parking	Per Town's Requirements	Per Town's Requirements for Retail and Warehouse Use

NES

10

Final PUD Plan – Water Quality and Detention

- October 2022: Town approved Preliminary PUD proposed one water quality and detention pond for the entire Santa Fe Park
 - Located in the southwest corner of the development at Baptist Rd. and Old Denver Road
- February 2025: Approved Sketch Plan revised drainage design for the area
 - Eliminated overall water quality and detention pond for development
 - Individual development sites now responsible for on-site water quality and detention
- Santa Fe Business Park Final PUD includes on-site water quality and detention
 - Approximate 0.70 Acre detention pond in southwest corner of site
 - Ties into larger master developer provided storm sewer system along western boundary
 - Drainage Report was submitted and reviewed as part of this Final PUD submittal



11

Building Use

- Mixed-use of office, warehouse, retail and industrial
 - Not entirely an industrial use
- All buildings have approx. 5,000 SF of retail/ office space in the front
- All buildings subdivided into tenant spaces
 - 32 tenant spaces in total
 - Buildings 1 & 2: 2 tenant spaces
 - Outdoor storage behind buildings
 - Building 3, 5 & 6: 7 tenant spaces
 - Building 4: 6 tenant spaces



12

Outdoor Storage

- The outdoor storage areas are permitted as an incidental and commonly associated use of the permitted use
 - Use or activity is secondary and subordinate to the principal use of the property.
- Fenced and gated to control access
- 20’ height restriction on outdoor storage
- Asphalt millings surfacing permitted in outdoor storage areas
 - Not public parking area
 - Soft surfacing removes unnecessary impervious area
 - Encourage infiltration into soils reducing runoff



13

Outdoor Storage

- Screen Fence to be 6’ fully opaque, color to match buildings
- West storage area screened by 12 evergreen trees and 4 deciduous trees
- East storage area screened by 9 deciduous trees and shrubs
 - Sits 5’ below Terrazo Dr.



14

Landscape Requirements

Motor Vehicle (1 tree/9 spaces)

- Trees Required: 22
- Trees Provided: 22

West Boundary (1 tree/20')

- Trees Required: 40
 - (50% Evergreen)
- Trees Provided: 40
- 33 Evergreen Trees

La Campana Drive (1 tree/30')

- Trees Required: 25
- Trees Provided: 25

Terrazzo Drive (1 tree/30')

- Trees Required: 22
- Trees Provided: 22

Internal (1 tree/925 SF)

- Trees Required: 5
- Trees Provided: 5
- Shrubs Provided: 622



N



Final PUD Plan – Building Materials



Coronado Stone Veneer:
Old Country Ledge- Huron



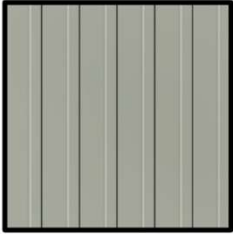
Wood Grain Metal Wall Panel
Color: Gray Rough Sawn Cedar



Aluminum Clad Low-E Window
Frames/Storefront Doors & Canopies
Color: Dark Bronze



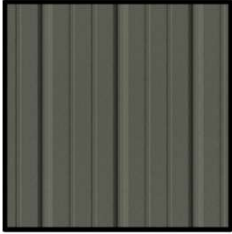
Previously Proposed Material/Colors



Metal Wall Panel
Color: Slate Gray

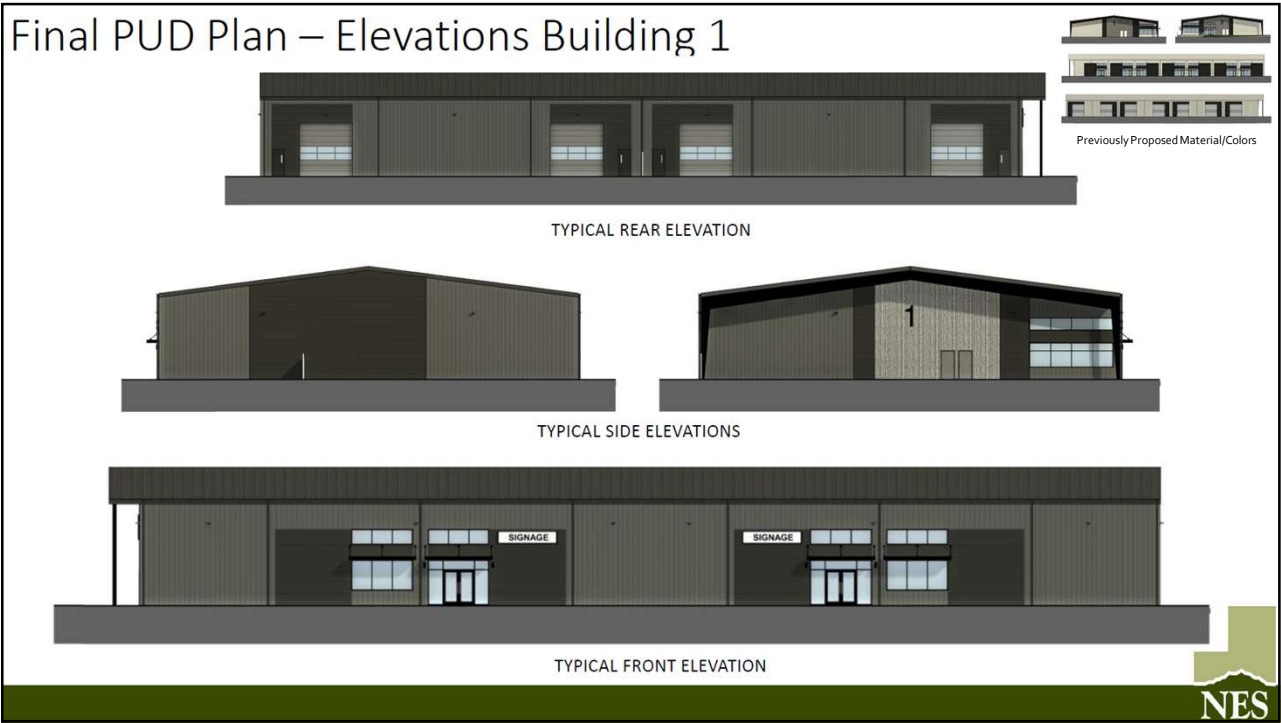


Metal Wall Panel
Color: Dark Charcoal



Standing Seam Metal Roof
Color: Dark Charcoal





17



18

Final PUD Plan – Elevations Building 3



19

Final PUD Plan – Elevations Building 4



20

Final PUD Plan – Elevations Building 5



21

Final PUD Plan – Elevations Building 6



22



23

Final PUD Plan – Building Rendering



24

Final PUD Plan – Building Rendering



NES

25

Final PUD Plan – Building Rendering



NES

26

Final PUD Plan – Building Rendering



27

Santa Fe Business Park Final PUD Plan – Review Criteria

Review Criteria	Final PUD Compliance
Consistent with Preliminary PUD Plan	Consistent with permitted uses as well as the development and design standards of the Santa Fe Park Preliminary PUD Plan.
Adequate access and circulation and emergency access, and bicycle and pedestrian facilities	2 access points proposed via Terrazzo Dr. and La Campana Dr. to be built by the master developer. Internal driveways coordinated with fire department and can accommodate emergency vehicles. Sidewalk connections provided.
Functional parks and open space, and preserves natural features	Landscape buffering adjacent to the Santa Fe Regional Trail along western boundary. No natural features found on site.
Variety of development and housing types; mixed land use encouraged	Santa Fe Business Park provides for mix of Industrial/ Office/ Warehousing/ and Retail Uses.
Privacy for individuals, families and neighbors	N/A as residential is not a proposed use and there is no residential development adjacent to the site.
Building design has quality architecture and is compatible with surroundings	Building architecture meets the design standards in the Preliminary PUD Plan and provides 4-sided architectural design with varied color palette.
Quality landscaping with xeric design to conserve water	Xeriscape landscape is proposed and consistent with the Town’s guidelines and aesthetic.
Adequate off-street parking	Parking meets the Town’s off-street parking standards for retail & warehousing.
Fits with surrounding land use pattern, road and utility infrastructure	Compliments existing industrial use to the east and conforms to the approved overall uses. Roadway and utility infrastructure was pre-planned for this site.

28

Questions?



NES

29

[Return to Staff Presentation](#)



30

SUMMARY

Building Materials and Color. Coronado Stone Veneer has been added to the base of the elevations facing the exterior of the property. The color of the building has been changed from Bone White, Ash Gray, and Dark Bronze to Slate Gray, Dark Charcoal, and Dark Bronze. A Gray Rough Sawn Cedar panel is still proposed on the street facing elevation of each building.

Loading Doors. Section 18.04.150 requires no more than one (1) ground-level garage loading per five thousand (5,000) square feet of indoor building warehouse space. Given that these buildings are designed for a mix of smaller industrial, warehouse, office, and retail uses, this standard is not applicable. As proposed, each leasable space, ranging from 2,884 sf to 10,598 sf, is provided with one (1) ground-level garage loading door on the rear elevation of the building. The Applicant has revised Building 1 by eliminating one (1) garage door, reducing the number of doors to match the number of leasable spaces within that building.



31

1/5/2026

Town Council Public Hearing – Santa Fe Business Park (continued from 12/1/2025)

SUMMARY (continued)

Outdoor Storage. The Preliminary PUD governing the property permits outdoor storage when “it is incidental and commonly associated with the operation of the permitted use” and when “it is operated and maintained under the same ownership/ lessees/concessionaires and on the same site as the permitted use.”

Buildings 1 and 2 include enclosed and screened outdoor storage areas. A soft asphalt milling surface is provided in these areas to avoid unnecessary impervious surface and to encourage stormwater infiltration and water treatment. The fencing around the perimeter of the outdoor storage areas has been replaced with a six (6) foot tall PVC solid fence matching the color of the building. A PVC fence meets the intent of the approved Preliminary PUD and complies with the material specifications required by the upcoming State Fire Resiliency Code. Vehicle parking/storage and storage of items greater than twenty (20) feet in height will be prohibited within the designated outdoor storage areas.



32

1/5/2026

Town Council Public Hearing – Santa Fe Business Park (continued from 12/1/2025)

SUMMARY (continued)

Landscape Standards. Staff reviewed the landscape standards stipulated by the Preliminary PUD governing the site and found that the proposed landscape plan complies with, and in many cases, exceeds those standards. The proposed landscape Plan provides a combination of evergreen and deciduous tree screening between the Santa Fe Trail and Building 1’s outdoor storage. In all, the proposed landscape plan includes the required number of trees along the Santa Fe Trail, La Campana Drive and Terrazzo Drive, and exceeds the ratio of evergreen trees to deciduous trees along the Santa Fe Trail. The applicant has proposed adding two (2) additional trees to bring the number of parking lot trees from 20 to 22, in compliance with the Preliminary PUD.



33

1/5/2026

Town Council Public Hearing – Santa Fe Business Park (continued from 12/1/2025)

SUMMARY (continued)

Traffic Impact Study and Circulation. A question was also raised about the potential impact of truck traffic by the development. The Applicant provided a Traffic Generation Analysis for the project. The Report, prepared by SM Rocha, LLC, dated 11/6/2025, concludes that the proposed development is expected to not have a negative impact on traffic operations for the surrounding roadway network. Based on the current data and analysis included in the Applicant’s 11/6/2024 report and the review conducted by the Town’s Engineering consultant, Town Staff concurs with this assessment.

During the December 1, 2025, public hearing, concern was expressed regarding emergency access to the buildings. The Monument Fire District is one of many reviewing agencies participating in the Town’s development design review process. The Monument Fire District did review the layout of the buildings, outdoor storage and parking lot, and endorsed the development’s site circulation as proposed.



34

1/5/2026

Town Council Public Hearing – Santa Fe Business Park (continued from 12/1/2025)

CONCLUSION

Staff has found that Section 18.04.150 is not applicable to this proposed mixed-use development. Staff believes the Applicant has addressed the concerns expressed during the December 1, 2025, public hearing and found the proposed Final Planned Unit Development to be in compliance with the underlying Preliminary PUD governing the property.



35

1/5/2026

Town Council Public Hearing – Santa Fe Business Park (continued from 12/1/2025)

RECOMMENDED ACTION

A motion to **APPROVE** An Ordinance Granting Approval of the Final Planned Unit Development for Santa Fe Business Park, Lot 2 Terrazzo Baja Commercial Development, located at the northwest corner of Terrazzo Drive and La Campana Drive, supported by the following exhibits and with the condition that permitted outdoor storage be no more than twenty (20) feet in height.

- A. Legal Description ([link](#))
- B. Final Planned Unit Development/Site Plan for Santa Fe Business Park, prepared by N.E.S, Inc, last revised 9/22/2025 ([link](#)), revised as presented and described in Staff’s memorandum, dated 1/5/2026.
- C. Final Drainage Report for Santa Fe Business Park, prepared by JR Engineering, dated June 2025 ([link](#)).
- D. Updated Traffic Generation Analysis, prepared by SM Rocha, LLC, dated 11/6/2025 ([link](#)).
- E. Planning Commission Findings of Fact, dated 11/12/2025 ([link](#)).



36

1/5/2026

Town Council Public Hearing – Santa Fe Business Park (continued from 12/1/2025)

**TOWN OF MONUMENT
ORDINANCE NO. 22-2025**

**AN ORDINANCE GRANTING APPROVAL OF THE FINAL PLANNED UNIT
DEVELOPMENT FOR SANTA FE BUSINESS PARK, LOT 2 TERRAZZO-BAJA
COMMERCIAL DEVELOPMENT, LOCATED AT THE NORTHWEST CORNER OF
TERRAZZO DRIVE AND LA CAMPANA DRIVE**

WHEREAS, the Town of Monument (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town’s Home Rule Charter approved by the electors on November 8, 2022 (“Charter”); and

WHEREAS, Mr. Jason Alwine of N.E.S. Inc, on behalf of Santa Fe Park JV LLC, is seeking approval of the Final Planned Unit Development (FPUD) for Santa Fe Business Park, Lot 2, Terrazzo-Baja Commercial Development (the “Property”), for the construction of an industrial/warehouse/office/retail facility at the northwest corner of Terrazzo Drive and La Campana Drive, legally described on Exhibit A; and

WHEREAS, the Monument Planning Commission conducted a public hearing on this application on November 12, 2025, and made a recommendation of APPROVAL by a vote of 7 to 0, condition upon permitted outdoor storage be no more than twenty (20) feet in height and based upon the Finding of Fact attached hereto as Exhibit B; and

WHEREAS, on December 1, 2025, the Monument Town Council received the Planning Commission’s recommendation and conducted a public hearing on December 1, 2025 and January 5, 2026 and hereby determined that the Final PUD for Santa Fe Business Park, Lot 2 Terrazzo-Baja Commercial Development, is in conformance with the Preliminary PUD for the property and the conditions outlined in the Land Development Code, Section 18.03.440 et. seq.; and

WHEREAS, this Ordinance was introduced by title and voted upon at the regular meeting of the Town Council on January 5, 2026.

THE TOWN COUNCIL OF THE TOWN OF MONUMENT, COLORADO, ORDAINS:

Section 1. Incorporation. The recitals set forth above are incorporated and ordained as if set forth in this section in full.

Section 2. Approval. The Town Council approves the Final Planned Unit Development for Santa Fe Business Park, Lot 2 Terrazzo Baja Commercial Development, located at the northwest corner of Terrazzo Drive and La Campana Drive, condition upon permitted outdoor storage be no more than twenty (20) feet in height, and legally described on Exhibit A attached hereto.

Section 3. Publication. Pursuant to Subsection 6.5, 3. of the Town of Monument Home Rule Charter and Subsection 2.04.030, G. of the Monument Municipal Code, upon approval this Ordinance shall be published on the Town’s office website in full for not less than ten (10) days.

Section 4. Authentication and Filing. Upon passage this Ordinance shall be authenticated by the Mayor and Town Clerk and maintained by the Town Clerk in such form as is sufficient to assure reasonable access by the public. Failure to authenticate any ordinance shall not invalidate it or suspend its operation.

Section 5. Effective Date. This Ordinance shall become effective and be in full force and effect ten (10) days after final publication.

Section 6. Severability. If any portion of this Ordinance or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications of the ordinance which can be given effect without the invalid portion or application, provided such remaining portions or applications are not determined by the court to be inoperable.

INTRODUCED, PASSED, and ADOPTED/REJECTED, by the Town Council of the Town of Monument, Colorado this 5th day of January 2026 by a vote of ____ for and ____ against.

TOWN OF MONUMENT, COLORADO

By: _____
Mitch LaKind, Mayor

Attest:

Tina Erickson, Town Clerk

EXHIBIT A
LEGAL DESCRIPTION

LOT 2 OF TERRAZZO-BAJA COMMERCIAL DEVELOPMENT, A SUBDIVISION OF LAND
LOCATED IN THE EAST 1/2 OF SECTION 26, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE
6TH P.M., TOWN OF MONUMENT, COUNTY OF EL PASO, STATE OF COLORADO

TOTAL AREA: 10.32 ACRES

TAX ID: 7126002024

EXHIBIT B
FINDINGS OF FACT

1. The proposed use meets the intent of Comprehensive Plan designation for the property.
2. The final planned unit development is consistent with the approved preliminary planned unit development.
3. Onsite circulation and access are designed for the anticipated type of pedestrian and vehicular traffic generated.
4. Building design in terms of orientation, spacing, materials, exterior color and texture, storage and lighting result in a quality architectural design is compatible with the existing and anticipated area.
5. The landscaping is a quality design that enhances the site and is compatible with the surrounding neighborhood as shown by amount, types, and materials used.
6. Adequate off-street parking, both standard and ADA accessible, is provided.
7. The Final Planned Unit Development fits within the context of the planned land use pattern and roadway and utility systems of the larger surrounding area.



MEMORANDUM

TO: The Honorable Mayor and Town Council
Madeline VanDenHoek, Town Manager

FROM: Dan Ungerleider, AICP, Director of Planning

DATE: January 5, 2026

SUBJECT: Ordinance No. 01-2026 - An Ordinance Amending Chapter 18.03.110 of the Municipal Code to Reference the Approved Official Zoning Map by a Date Certain

Overview.

Consistent with best practices, it is appropriate for a municipality to annually approve and publish its Official Zoning Map as it was revised by Town Council during the previous year. As so, the Staff presented draft Official Zoning Map to the Planning Commission for their review and acceptance on December 10, 2025. At the conclusion of their review, the Planning Commission unanimously approved a motion to recommend Town Council approve the Official Zoning Map as presented. The Official Zoning Map is attached as Exhibit A with Ordinance No. 01-2026 included with the memorandum. A full-size printed version of the draft Official Zoning Map will be on display in Council Chamber on January 5, 2026.

A digital interactive version of the draft Official Zoning Map is posted on the Town's Planning Department webpage on the [Official Zoning Map \(interactive\)](#) page.

As provided for in the attached Ordinance No. 01-2026, Staff is proposing Section 18-03-110 be revised to reflect the date of the current Official Zoning map as follows (changes are indicated in bold):

"The boundaries of the zoning district are established as shown on the Official Zoning Map, dated and approved **January 5, 2026**, and defined in Section 18.07.110. The Official Zoning Map, with all explanatory material thereon, is incorporated by reference and declared part of this title. A copy of the Official Zoning Map will be maintained in the office of the Town Clerk."

Requested Action.

A motion to **APPROVE** Ordinance No. 01-2026, An Ordinance Amending Chapter 18.03.110 of the Municipal Code to Reference the Approved Official Zoning Map by a Date Certain.

Attachments.

1. Planning Commission Minutes, dated 12/10/2025.
2. Ordinance No. 01-2025, An Ordinance Amending Chapter 18.03.110 of the Municipal Code to Reference the Approved Official Zoning Map by a Date Certain.

**TOWN OF MONUMENT
ORDINANCE NO. 01-2026**

**AN ORDINANCE AMENDING CHAPTER 18.03.110 OF THE MUNICIPAL CODE TO
REFERENCE THE APPROVED OFFICIAL ZONING MAP BY A DATE CERTAIN**

WHEREAS, the Town of Monument (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town’s Home Rule Charter approved by the electors on November 8, 2022 (“Charter”); and

WHEREAS, the Town Council has determined it to be reasonable and necessary to amend the Municipal Code regarding the Official Zoning Map be approved and kept on file in the office of the Town Clerk, and that it be referenced by date; and

WHEREAS, such amendments are in the best interests of the citizens of the Town of Monument; and

WHEREAS, on December 10, 2025, the Monument Planning Commission was presented a draft of the Official Zoning Map and unanimously recommended approval of the draft Official Zoning Map; and

WHEREAS, on January 5, 2026, Town Council received and concurred with the Plan Commission’s recommendation to approve the Official Zoning Map and make reference of the Official Zoning Map by date in Chapter 18.03.110 - Official Zoning Map.

**THE TOWN COUNCIL OF THE TOWN OF MONUMENT, COLORADO,
ORDAINS:**

Section 1. Incorporation. The recitals set forth above are incorporated and ordained as if set forth in this section in full.

Section 2. Approval. The Town Council approves the Official Zoning Map dated January 5, 2026, and signed by the Mayor and Planning Director, and attached hereto as Exhibit A; an approves Section 19.03.110 - Official Zoning Map be amended and replaced in its entirety as follows:

“The boundaries of the zoning district are established as shown on the Official Zoning Map, dated and approved January 5, 2026, and defined in Section 18.07.110. The Official Zoning Map, with all explanatory material thereon, is incorporated by reference and declared part of this title. A copy of the Official Zoning Map will be maintained in the office of the Town Clerk.”

Section 3. Publication. Pursuant to Subsection 6.5, 3. of the Town of Monument Home Rule Charter and Subsection 2.04.030, G. of the Monument Municipal Code, upon approval this Ordinance shall be published on the Town’s office website in full for not less than ten (10) days.

Section 4. Authentication and Filing. Upon passage, this Ordinance shall be authenticated by the Mayor and Town Clerk and Maintained by the Town Clerk in such form as is sufficient to assure reasonable access by the public. Failure to authenticate any ordinance shall not invalidate it or suspend its operation.

Section 5. Effective Date. This Ordinance shall become effective and be in full force and

effect ten (10) days after final publication.

Section 7. Severability. If any portion of this Resolution or the application thereof shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications which can be given effect without the invalid portion or application, provided such remaining portions or applications are not determined by the court to be inoperable.

INTRODUCED, PASSED, and ADOPTED/REJECTED, by the Town Council of the Town of Monument, Colorado, this 5th day of January 5, 2026, by a vote of ____ for and ____ against.

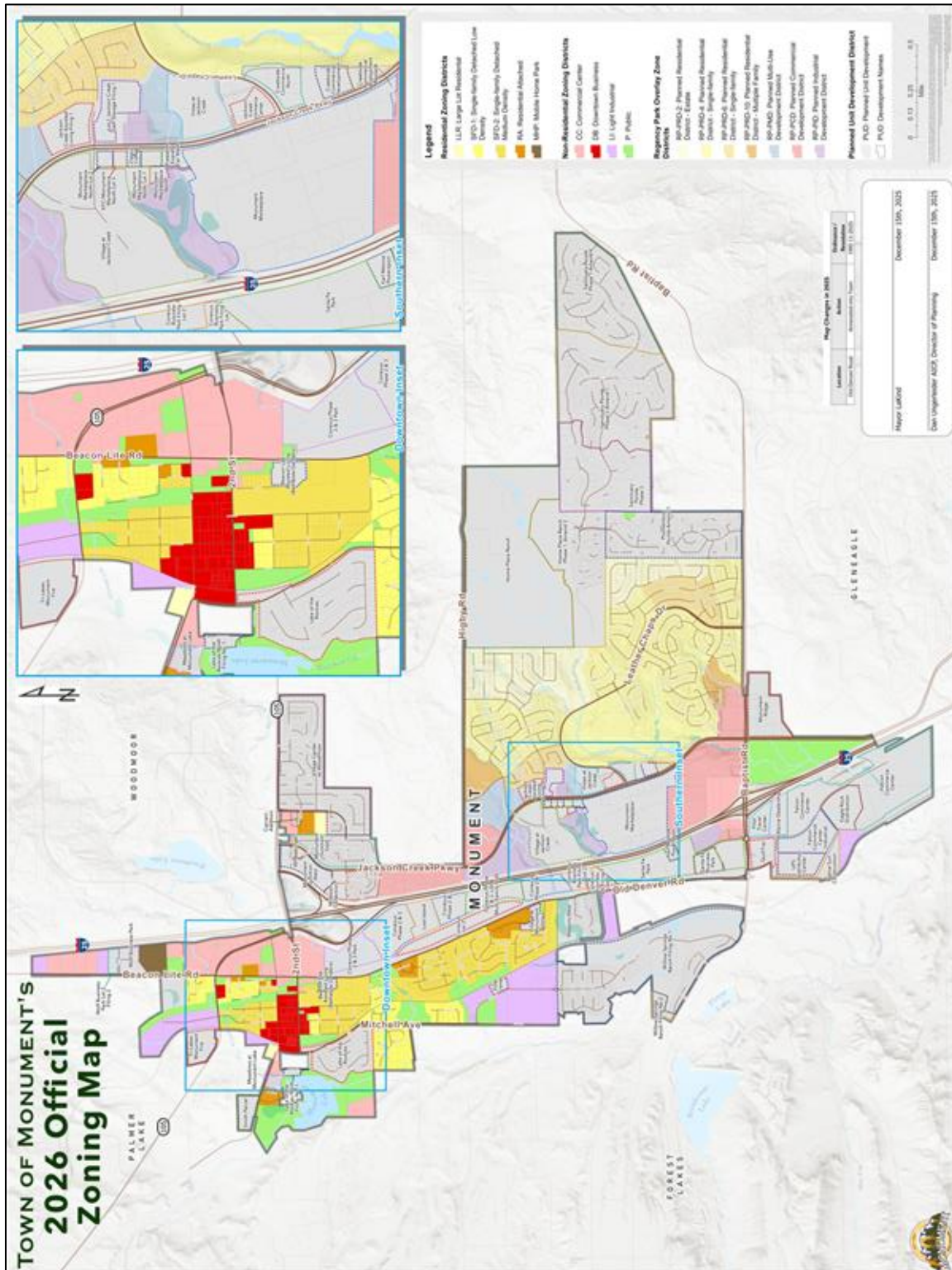
TOWN OF MONUMENT, COLORADO

By: _____
Mitch LaKind, Mayor

ATTEST:

Tina Erickson, Town Clerk

(On file in the Town of Monument Planning Department and Office of the Town Clerk)





MEMORANDUM

TO: The Honorable Mayor and Town Council
Madeline VanDenHoek, Town Manager

FROM: Dan Ungerleider, Director of Planning

DATE: January 5, 2026

SUBJECT: Resolution No. 01-2026 – A Resolution Re-Appointing Members Peterson, Parr, and Baumer to the Town of Monument Planning Commission

The Town of Monument Planning Commission (which also acts as the Board of Adjustment) consist of seven (7) regular members and two (2) alternate members, the terms of which are staggered. Alternate members are utilized to ensure a quorum at each meeting and are appointed to serve as regular members in the absence of one or two regular Commissioners. All members are appointed for a two-year term.

As of December 10, 2025, the Town of Monument Planning Commission consisted of seven (7) regular members and one (1) alternate member. During the December 10, 2025, Planning Commission meeting, members Green and Ours announced they would be resigning from Planning Commission at the end of 2025. Their resignation leaves the Planning Commission with two (2) regular member vacancies and one (1) alternative member vacancy.

During the Planning Commission meeting, alternate member Valerie Baumer agreed to continue her first term as a regular member of the Planning Commission, and members Corey Peterson and John Parr agreed to continue serving as regular members for a second term. If Council approves these re-appointments, the Planning Commission would start 2026 with a six (6) member Planning Commission having one (1) regular member vacancy and two (2) alternate member vacancies.

A copy of the proposed resolution re-appointing members Corey Peterson, John Parr and Valerie Baumer to the Planning Commission and the resulting member roster is attached for Council consideration and adoption on January 5, 2026.

Recommended Action.

A motion to APPROVE Resolution No. 01-2026 – A Resolution Re-Appointing Members Peterson, Parr, and Baumer to the Planning Commission.

Attachments.

1. Proposed Planning Commission Roster, as of January 5, 2026
2. Resolution No. 01-2026 – A Resolution Re-Appointing Members to the Planning Commission

Attachment 1

Planning Commission Membership Roster

As of January 5, 2026¹ (updates noted by ■)

Name	Term Expiration	Renewable (y/n)	Current Term
Ray Egley, chair	12/31/2026	Y	3 of 4
■ Corey Petersen, member	12/31/2027	Y	2 of 4
Martin Trujillo, member	12/31/2026	Y	3 of 4
Donna Hatch, member	12/31/2026	Y	1 of 4
■ John Parr, member	12/31/2027	Y	2 of 4
■ Valerie Baumer, member	12/31/2026	Y	1 of 4
Vacant, member			
Vacant, alternative member			
Vacant, alternative member			

¹Assuming Appointment Approval on January 5, 2026

2.40.020 - Membership—Terms—Term limit—Vacancies.

The planning commission shall consist of seven regular members and two alternates. The term of each planning commission member and alternates shall be two years, ending December 31 of the year immediately following the year of his or her appointment, or until his or her successor is appointed. Terms shall be staggered with three members being appointed during the same year for terms of two years, and four members being appointed the following year for terms of two years. Members shall serve no more than four consecutive terms. Terms are considered consecutive unless they are at least a term apart. Current members who have served in excess of four consecutive terms shall serve until their current term expires.

Vacancies occurring otherwise than through the expiration of term shall be filled for the remainder of the unexpired term by appointment by the Board of Trustees.

(Ord. 27-2007 § 1; Ord. 21-2000 § 1; Ord. 6-97: prior code § 2-10-2)

(Ord. No. 04-2013, § 1, 2-4-2013; Ord. No. 12-2017, § 1, 6-19-17)

**TOWN OF MONUMENT
RESOLUTION NO. 01-2026**

**A RESOLUTION RE-APPOINTING MEMBERS PETERSON, PARR, AND BAUMER
TO THE TOWN OF MONUMENT PLANNING COMMISSION**

WHEREAS, pursuant to Section 2.40.020 of the Monument Municipal Code, the Planning Commission shall consist of seven (7) regular members and two (2) alternate members; and

WHEREAS, Planning Commissioner members shall serve no more than four (4) consecutive two (2) year terms; and

WHEREAS, during the December 10, 2025, Planning Commission meeting, regular members Danny Ours and Cathy Green announced their resignation as of December 31, 2025; and

WHEREAS, as a result of the aforementioned resignations, the Planning Commission will have two (2) regular member vacancies and one (1) alternate member vacancy as of January 1, 2026; and

WHEREAS, during the December 10, 2025, Planning Commission meeting, regular member Corey Peterson, regular member John Parr, and alternate member Valerie Baumer agreed to continue their consecutive terms on the Planning Commission if re-appointed by Council; and

WHEREAS, if Council re-appoints these members, the Planning Commission will have one (1) regular member vacancy and two (2) alternate member vacancies.

NOW, THEREFORE, BE IT RESLOVED BY THE TOWN COUNCIL OF MONUMENT, COLORADO AS FOLLOWS:

Section 1. Town Council re-appoints regular members Corey Peterson and John Parr to serve as regular members on the Planning Commission for a second two-year term ending on December 31, 2027.

Section 2. Town Council appoints alternate member Valerie Baumer to serve as a regular member of the Planning Commission for the remainder of her first term ending on December 31, 2026.

PASSED AND RESOLVED by the Town Council of the Town of Monument, El Paso County, Colorado, this 5th day of January 2026, by a vote of ____ for and ____ against.

[signatures on next page]

TOWN OF MONUMENT

Mitch LaKind, Mayor

ATTEST:

TOWN OF MONUMENT

Tina Erickson, Town Clerk



MEMORANDUM

TO: The Honorable Mayor and Town Council
FROM: Dan Ungerleider, AICP, Director of Planning
DATE: January 5, 2026
SUBJECT: Resolution No. 02-2026, a Resolution Authorizing Filing of a Petition For The Annexation of Town of Monument Water Tank Site

OVERVIEW.

Several years ago, the Town began the complex process of land and easement acquisition needed to accommodate improvements to the Town's Beacon Lite Water Tank property. The acquisition required the coordination and collaboration of multiple property owners and El Paso County. On December 23, 2025, all associated closings were completed and an administrative plat, deeds and easements were recorded with the El Paso County Clerk and Recorder's Office. With the completion of this multifaceted and complex process, the Town is now in position to annex its Beacon Lite Water Tank Property. To annex the Water Tank Property a portion of Beacon Lite Road must also be annexed. The Beacon Lite Water Tank Property is located approximately 1.7 miles north of the Town's municipal Boundary.

The attached resolution, Resolution No. 02-2026, will authorize the Town Manager, Acting Manager, and Planning Director to file a Petition for Annexation to have the Town Council consider the annexation of that portion of Beacon Lite Road from approximately 850 feet North of State Highway 105 north to approximately 975 feet north of the Beacon Lite Water Tank Property, and the Town's Beacon Lite Water Tank Property.

If the resolution authorizing filing of a petition to annex is approved, the next steps will entail 1) the Town Council determining if the Petition for Annexation substantially complies with the Municipal Annexation Act of 1965, and if so; 2) The Town Council will schedule a hearing to consider whether the areas are eligible for annexation, if so, whether the areas should be annexed into the Town of Monument.

REQUESTED ACTION.

A motion to **APPROVE** Resolution No. 02-2026, a Resolution Authorizing Filing of a Petition For The Annexation of Town of Monument Water Tank Site

Attachments.

1. Draft Petition for the Annexation of Town of Monument Water Tank Site, dated 12/30/2025
2. Staff Presentation
3. Resolution No. 02-2026, a Resolution Authorizing Filing of a Petition For The Annexation of Town of Monument Water Tank Site

**PETITION FOR ANNEXATION
TO
TOWN OF MONUMENT, COLORADO**

**TO: THE TOWN CLERK AND TOWN COUNCIL OF THE TOWN OF MONUMENT,
COLORADO.**

**RE: ANNEXATION OF LAND COMMONLY KNOWN AS TOWN OF MONUMENT
BEACON LITE ROAD WATER TANK SITE**

THE UNDERSIGNED PETITIONER(S) ("Petitioner"), in compliance with the Title 31, Article 12, Part 1, of the Colorado Revised Statutes, ("Municipal Annexation Act of 1965"), and Section 18.01.220 of the Monument Municipal Code ("Municipal Code"), hereby petitions the Town of Monument, Colorado, for annexation to the Town of Monument, that unincorporated territory located in the County of El Paso, State of Colorado, as more fully described on Exhibit "A," attached hereto and incorporated herein by this reference (the "Property"); and in support of said Petition, the undersigned states and alleges as follows:

1. It is desirable and necessary that the Property be annexed to the Town of Monument.
2. The Property meets the requirements of Sections 31-12-104 and 105, C.R.S., of the Municipal Annexation Act of 1965, in that:
 - (a) Not less than one-sixth of the perimeter of the Property will be contiguous with the existing boundaries of the Town of Monument.
 - (b) A community of interest exists between the Property and the Town of Monument.
 - (c) The Property is urban or will be urbanized in the near future.
 - (d) Said Property is integrated or is capable of being integrated with the Town of Monument.
 - (e) No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:
 - (i) Is divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road, or other public way.
 - (ii) Comprising twenty (20) acres or more and which, together with the buildings and improvements situated thereon, has a valuation for assessment in excess of two hundred thousand dollars (\$200,000.00) for ad valorem tax purposes for the year next preceding the annexation, is included within the Property without the written consent of the landowner or landowners thereof.
 - (f) No annexation proceedings have been commenced for the annexation to another municipality of part or all of the Property.
 - (g) The annexation of the Property will not result in the detachment of Property from any school district and the attachment of same to another school district.

- (h) The annexation of the Property will not have the effect of extending the boundary of the Town of Monument more than three (3) miles in any direction from any point of the Town's boundary in any one year, unless so doing would result in the division of a parcel of property held in identical ownership and at least fifty percent (50%) of the property would be within the three-mile limit.
 - (i) If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the Property to be annexed.
 - (j) Reasonable access shall not be denied to landowners, owners of easements, or the owners of franchises, adjoining any platted street or alley to be annexed that will not be bordered on both sides by the Town of Monument.
3. Attached hereto as Exhibit A and incorporated herein by this reference are four (4) copies of the annexation map, containing the following information:
- (a) A written legal description of the boundaries of the Property;
 - (b) A map showing the boundary of the Property;
 - (c) Within the annexation boundary, a showing of the location of each ownership tract of unplatted land and, with respect to any area which is platted, the boundaries and the plat numbers of plots or lots and blocks.
 - (d) Next to the boundary of the Property, a drawing of the contiguous boundary of the Town of Monument and the contiguous boundary of any other municipality abutting the Property.
4. All of the Petitioners signed this Petition for Annexation no more than one hundred eighty (180) days prior to the date of the filing of this Petition for Annexation.
5. (Initial one)
- _____ This Petition for Annexation satisfies the requirements of Article II, Section 30, of the Constitution of the State of Colorado in that it is signed by persons comprising more than fifty percent (50%) of the landowners in the Property who own more than fifty percent (50%) of said Property, excluding public streets and alleys and any land owned by the Town of Monument.
- OR
- _____ This Petition for Annexation is signed by the landowners of one hundred percent (100%) of the Property, excluding public streets and alleys and any land owned by the Town of Monument.
6. Upon an annexation ordinance becoming effective, all lands within the Property sought to be annexed shall become subject to all ordinances, resolutions, rules, and regulations of the Town of Monument, except for general property taxes of the Town of Monument, which shall become effective on January 1 of the next succeeding year following passage of the annexation ordinance.

7. If not requested concurrent with this Petition for Annexation, within ninety (90) days after the effective date of the annexation ordinance, Petitioner will request that zoning be granted by the Town of Monument.
8. In the event an Annexation Agreement satisfactory to both Petitioner and the Town of Monument is not entered into and fully executed on or before the date of consideration of an Annexation Ordinance contemplated in this Petition for Annexation, Petitioner may withdraw their signatures from this Petition for Annexation, the effect of which shall be as if no Petition had ever been executed and filed with the Town of Monument.

9. (Initial one)

The Property comprises:

_____ more than ten acres and an Annexation Impact Report, or waiver of such Report, as provided for in Section 31-12-108.5, C.R.S., is required.

OR

_____ less than ten acres and an Annexation Impact Report as provided for in Section 31-12-108.5, C.R.S., is not required.

10. The mailing address of each Petitioner, the legal description of the land owned by each Petitioner and the date of each signature are all shown on this Petition.
11. Attached to this Petition is the Affidavit of Circulator of this Petition that the signature(s) hereon is the signature of the person whose name it purports to be.
12. The undersigned agree to the following conditions, which, upon annexation, shall be covenants running with the land, and which shall, at the option of the Town, appear on the annexation map:
 - (a) Water rights shall be provided to the Town as required by the Municipal Code.
 - (b) The undersigned hereby waive any and all “vested rights” previously created pursuant to Section 24-68-103, C.R.S., as amended, upon the effective date of the annexation ordinance.
 - (c) Any development within the Property proposed for annexation shall comply with the Town’s Comprehensive Plan and the Land Use and Development Code.

(signatures on follow page)

THEREFORE, Petitioner respectfully request that the Town Council of the Town of Monument, Colorado, approve the annexation of the Property.

Signed this ____ day of _____, 2026.

PETITIONER:

THE TOWN OF MONUMENT

By: Dan Ungerleider, Planning Director

(Date)

645 Beacon Lite Road, Monument CO, 80132

(Mailing Address)

STATE OF COLORADO

)

)

ss.

COUNTY OF EL PASO

)

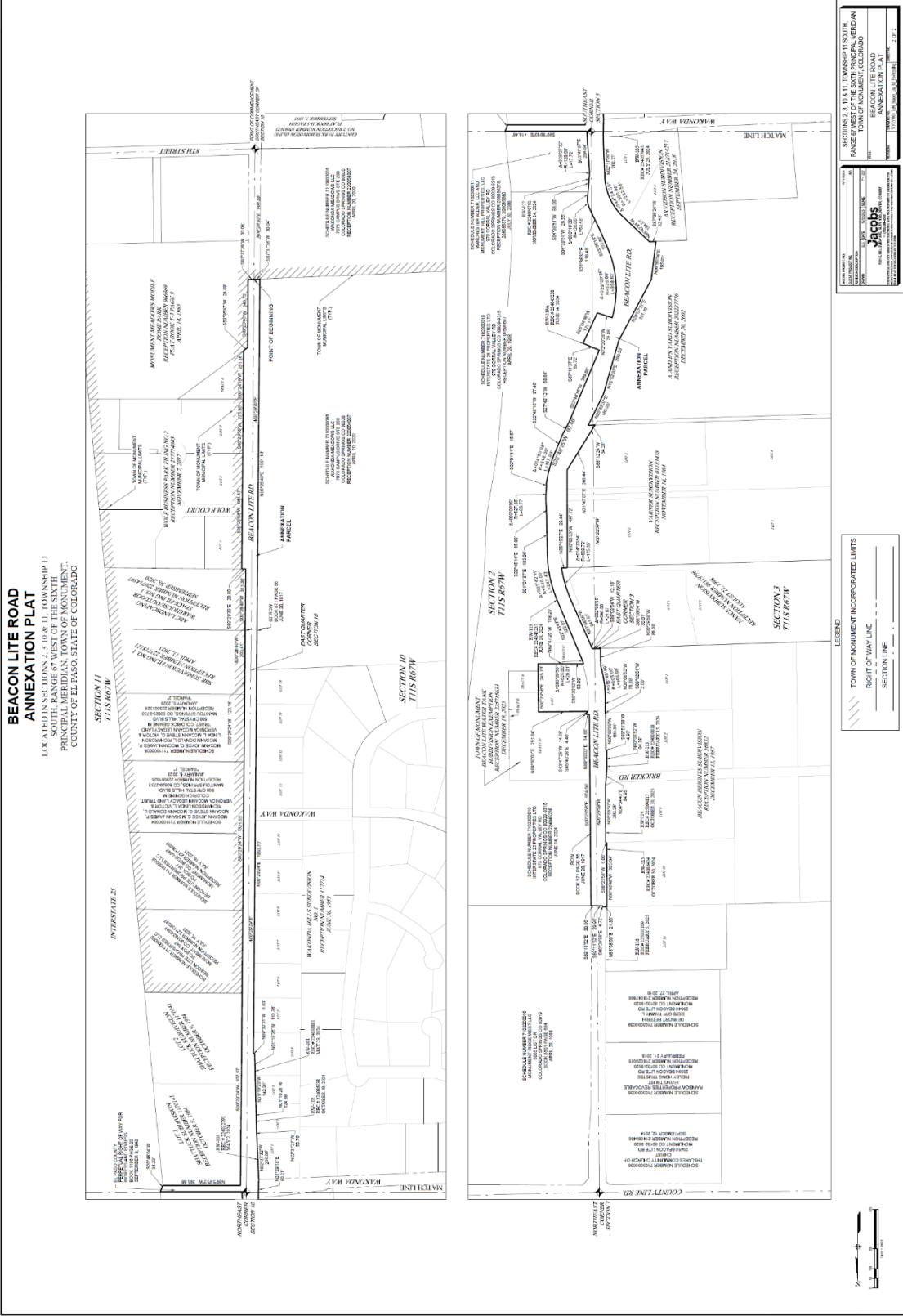
The foregoing was subscribed and sworn to before me this ____ day of _____, 2026, by Dan Ungerleider as Petitioner and Owner.

Witness my hand and official seal.

My commission expires:

Notary Public

ANNEXATION MAP (PAGE 2 OF 2)



AFFIDAVIT OF CIRCULATOR

The undersigned, being of lawful age, who being first duly sworn upon oath deposes and says:

That he/she was the circulator of the foregoing Petition for Annexation of lands to the Town of Monument, consisting of 7 pages, including this page, and that the signature(s) of Dan Ungerleider, thereon was witnessed by the circulator and is the true and original signature(s) of the person(s) whose name(s) they purport to be, and that the date of such signature is correct.

Circulator

STATE OF COLORADO

)

) SS.

COUNTY OF EL PASO

)

The foregoing AFFIDAVIT OF CIRCULATOR was subscribed and sworn to before me this ____ day of _____, 2026, by Dan Ungerleider as Petitioner and Owner.

Witness my hand and official seal.

My commission expires:

Notary Public

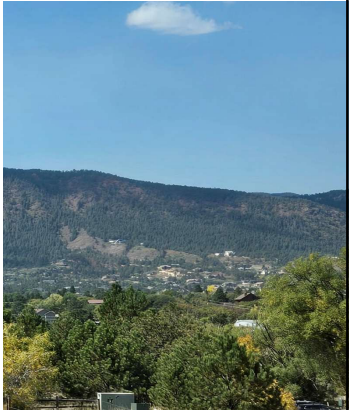
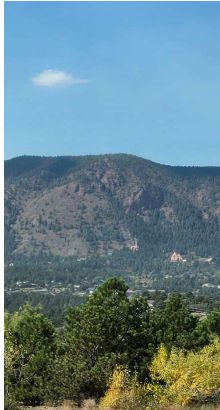


Staff Presentation

BEACON LITE WATER TANK SITE ANNEXATION

Authorization Filing a Petition

Town Council - 01/05/2026



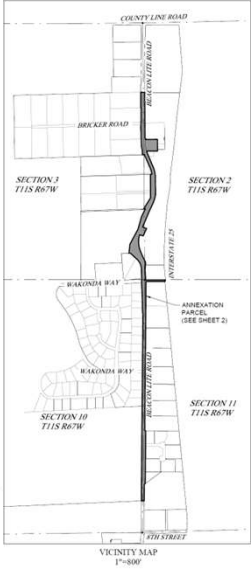
1



INTRODUCTION

Several years ago, the Town began the complex process of land and easement acquisition needed to accommodate improvements to the Town’s Beacon Lite Water Tank property. The acquisition required the coordination and collaboration of multiple property owners and El Paso County. On December 23, 2025, all associated closings were completed and an administrative plat, deeds and easements were recorded with the El Paso County Clerk and Recorder’s Office.

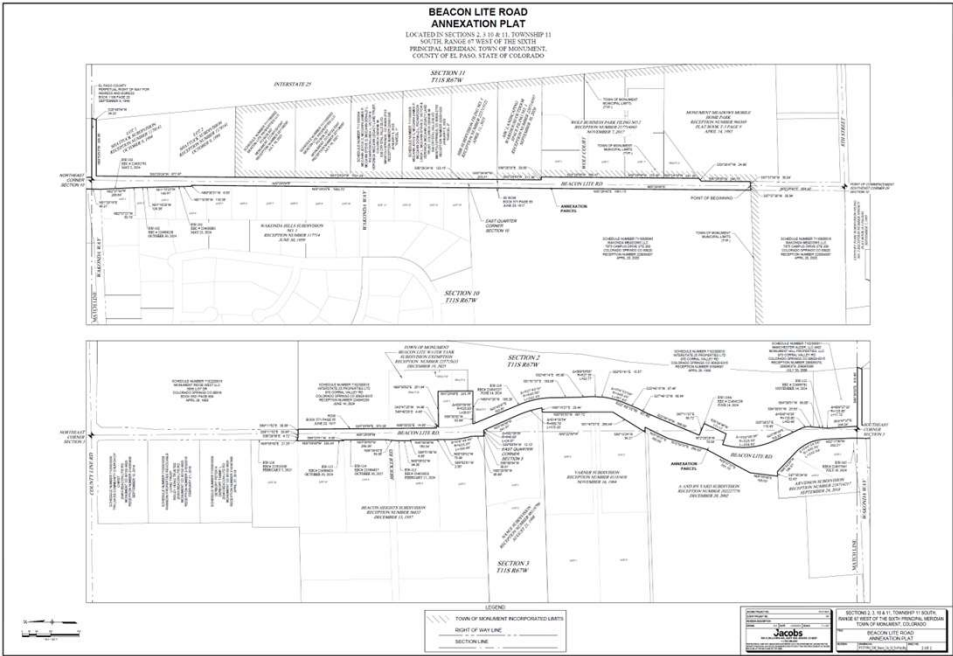
With the completion of this multifaceted and complex process, the Town is now in position to annex its Beacon Lite Water Tank Property. To annex the Water Tank Property a portion of Beacon Lite Road must also be annexed. The Beacon Lite Water Tank Property is located approximately 1.7 miles north of the Town’s municipal Boundary.



2

ANNEXATION PROCESS

- 1. By Resolution, Authorize Filing of a Petition for Annexation
- 2. By Resolution, Finding Annexation Petition to be in Substantial Compliance with the Municipal Annexation Act of 1965
- 3. By Resolution, Establish Findings and Conclusions
- 4. By Ordinance, Approve the Annexation



REQUESTED ACTION

A motion to **APPROVE** Resolution No. 02-2026, a Resolution Authorizing Filing of a Petition For The Annexation of Town of Monument Water Tank Site



TOWN OF MONUMENT

RESOLUTION NO. 02-2026

**A RESOLUTION AUTHORIZING FILING OF A PETITION FOR
THE ANNEXATION OF THE TOWN OF MONUMENT WATER TANK SITE**

WHEREAS, the Town of Monument (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town’s Home Rule Charter approved by the electors on November 8, 2022 (“Charter”); and

WHEREAS, the Town is the owner of a property known as the Town of Monument Water Tank Site;

WHEREAS, the Town Council believes that the Town of Monument Water Tank Site and a stretch of Beacon Lite Road adjacent to the Water Tank Site and extending north from Colorado State Highway 105 to a point south of County Line Road (the “Property”) is adjacent to the Town of Monument’s Town boundary; and

WHEREAS, it is appropriate and necessary to the function and operation of the Town that the Town consider whether to annex the Property to the Town of Monument;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MONUMENT, COLORADO THAT:

Section 1. Incorporation. The recitals set forth above are incorporated and resolved as if set forth in this section in full.

Section 2. Authority and Direction to File Petition for Annexation. The Town Manager, Acting Town Manager, and Planning Director are hereby authorized and directed to file with the Town a Petition for Annexation to annex the Property to the Town, and to take any and all further action required to pursue the annexation.

Section 3. No Prejudgment. The Town Council, by authorizing the Town Manager, Acting Town Manager, and Planning Director to file a Petition requesting the Property be annexed to the Town, makes no predetermination as to whether the property is eligible for annexation and if so whether it should be annexed to the Town. The Town Council will consider such determinations only after proper procedures have been followed as set forth in the Municipal Annexation Act of 1965.

Section 4. Effective Date. This Resolution shall become effective and be in full force and effect immediately upon approval.

Section 5. Severability. If any portion of this Resolution or the application thereof shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications which can be given effect without the invalid portion or application, provided such remaining portions or applications are not determined by the court to be inoperable.

PASSED AND RESOLVED by the Town Council of the Town of Monument, El Paso County, Colorado, this 5th day of January 2026 by a vote of ___ for and ___ against.

TOWN OF MONUMENT, COLORADO

By: _____
Mitch LaKind, Mayor

Attest:

Tina Erickson, Town Clerk

TOWN OF MONUMENT
RESOLUTION NO. 03-2026

A RESOLUTION ADOPTING 2026 LEGISLATIVE PLATFORM

WHEREAS, the Town of Monument (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and Town’s Home Rule Charter and approved by the electors on November 8, 2022; and

WHEREAS, the Town Council desires to adopt a Legislative Platform that establishes the Town’s positions on legislative matters that have the potential to significantly impact the Town; and

WHEREAS, the 2026 Legislative Platform reflects those legislative matters in which the Town Council authorizes the Mayor and Town Manager to engage in legislative advocacy on behalf of the Town without need for further Council review or authority.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MONUMENT, COLORADO THAT:

The 2026 Legislative Platform attached hereto as Exhibit A is hereby adopted as the official Legislative Platform for 2026.

PASSED AND RESOLVED by the Town Council of the Town of Monument, Colorado, this 5th day of January 2026, by a vote of ____ for and ____ against.

TOWN OF MONUMENT

Mitch LaKind, Mayor

ATTEST:

Tina Erickson, Town Clerk

Exhibit A



Town of Monument 2026 Legislative Platform

Purpose

The Town of Monument's Legislative Platform, formally adopted by the Town Council, establishes the Town's positions on legislative matters that have the potential to significantly impact the Town of Monument. This includes legislative matters that are under consideration by the Colorado General Assembly or the U.S. Congress. It also includes various non-legislative matters that may be under consideration at the federal, state and regional levels, including but not limited to those before Colorado agencies (*i.e.*, Air Quality Control Commission, Public Utilities Commission, Department of Transportation, Department of Regulatory Affairs), federal agencies (*i.e.*, Environmental Protection Agency, Department of Transportation, the Federal Communications Commission), regional governments (*i.e.*, Regional Transportation District) and intergovernmental coalitions (*i.e.*, Colorado Municipal League, Pikes Peak Area Council of Governments).

The Legislative Platform reflects those legislative matters in which the Council authorizes the Mayor and Town Manager to engage in legislative advocacy on behalf of the Town without the need for further Council review or authority. Legislative and non-legislative matters can arise and change quickly, and this Legislative Platform provides the Town with the ability to respond in a timely manner on behalf of the Town Council and in the best interest of the Town.

The Council's authorization extends only to advocacy for or against generally applicable legislative proposals (including those pertaining to budget, regulations, policies, and programs) being considered by local, regional, state and/or federal policy makers or regulators consistent with this Legislative Platform and adopted by Town policy. It does not otherwise extend to advocacy for or against any individual project, program, or entitlement application pending before any decision-making body.

Departures from these criteria can be made in unique circumstances as formally determined by the Town Council, such as when adoption of a Town position is important to support its regional partners, even while the policy in question is otherwise of limited consequences to the Town. The Legislative Platform shall be updated on an annual basis. The Legislative Platform shall be published and disseminated widely to promote transparency and awareness among the public. For emerging issues or situations not outlined in the Legislative Platform, Town staff will work with the Town Council to receive further direction.

Overarching Themes

Support local control

As a home rule municipality, the Town of Monument believes the authority to address issues that pertain to the Town must reside within. Local governments are best suited to identify solutions to local issues particularly regarding the services provided and land use decisions we make. Local authority also includes flexibility to determine use of funding locally and precludes unfunded mandates from the state or federal government.

No Unfunded Mandates

The Town Council does not support Legislation or other State actions that create unfunded mandates or mandates that are funded with a source that could affect the Town Tabor's limit.

PRIORITIES

Protect and Enhance Transportation

Transportation is a critical issue that impacts our community's health and economic base. As such, the Town of Monument supports legislation and funding that:

- Maintains or increases the level of funding provided by the state or passed through the state by the federal government for transportation activities at the local level.
- Supports efforts to improve safety in all transportation modes; drivers, transit riders, pedestrians and bicyclists.
- Supports an appropriate statewide transportation plan that not only funds repair and maintenance needs, but also commits to network improvements and expansions, including actions that address congestion relief.
- Supports PPACG's Legislative Efforts relative to Transportation.

The Town of Monument opposes legislation that:

- Transfers maintenance responsibility of state-owned roads to municipalities without adequate short and long-term funding from the state to meet these additional responsibilities.

Health, Safety and General Welfare

The Town of Monument strives to provide for the health, safety, and general welfare of our community through the provision of core municipal services, including water utilities, police, fire & emergency medical services, parks & recreation, land-use planning, code enforcement, economic development, etc. The Town supports legislation and funding that:

- Supports local law enforcement efforts.
- Provides for local control over land use and development regulations which guarantee the Town of Monument's ability to implement planning, zoning, and design controls on

the built environment, and assess impact fees and other exactions on development activities to deliver community goods and off-set the impacts from development.

- Ensures equitable distribution of resources needed to provide critical municipal functions.
- Protects the ability of municipal utilities to provide quality, adequate, and efficient utility services to their local community.
- Provides additional or strengthens existing tools for economic development.
- Minimizes or eliminates off-loading of State or Federal funding or operational responsibilities onto our local level.
- Addresses the unintended challenges created by the passage of SB 20-217, including the significant impacts on municipal taxpayers related to uncapped fees and damages.
- Protects the Public Safety Spectrum (4.9Ghz) to provide a nationwide, interoperable, wireless broadband network.
- Protects society against Identity (ID) Theft.

Telecommunications

The Town of Monument supports legislative and funding proposals that:

- Ensures equitable and affordable access to high-speed, quality mobile and broadband telecommunications services in underserved communities.
- Maintains the retention of municipal franchising and regulatory authority over cable television systems.
- Preserve municipal control and autonomy over public rights-of-way and other assets, along with the right of local governments to receive fair and reasonable compensation for their use.

The Town of Monument opposes legislation that:

- Restricts municipal franchising, regulatory, and taxing authority over telecommunications systems.
- Limits the Town of Monument's use of technology to serve its residents and improve its operations.
- Preempts municipal control over access to and regulation of infrastructure and development within public rights-of-way and the preemption of imposition of design controls over utilities and infrastructure.

Artificial Intelligence

The Town of Monument supports legislative and funding proposals that:

- Encourages the adoption of AI technologies: Supports legislative and funding proposals that promote the integration of AI technologies to enhance telecommunications infrastructure, ensuring improved efficiency, reliability, and service quality.
- Promotes AI-driven digital inclusion initiatives: Backs the use of AI to bridge the digital divide, providing underserved and rural communities with access to high-speed, affordable broadband and mobile services.

- Advocates for AI ethics and transparency: Endorses the implementation of ethical AI guidelines in telecommunications to ensure transparent, fair, and accountable use of AI-driven systems and processes and encourages collaboration to create state and federal standards

The Town of Monument opposes legislation that:

- Restricts AI development: Stands against legislation that limits the ability of municipalities to develop and implement AI technologies to improve telecommunications services and operations.
- Creates barriers to AI-driven innovation: Rejects regulations that impede the deployment and advancement of AI technologies in telecommunications, hindering progress, and limiting the potential benefits to the community.

Cybersecurity

The Town of Monument supports legislative and funding proposals that:

- Enhances cybersecurity measures: Supports legislative and funding proposals that bolster cybersecurity defenses for municipally owned telecommunications utilities, protecting against cyber threats and ensuring the resilience of services.
- Promotes cybersecurity education and awareness: Advocates for initiatives that increase public and municipal staff knowledge about cybersecurity best practices, helping to prevent cyberattacks and safeguard sensitive information.
- Encourages collaboration on cybersecurity: Endorses partnerships between municipal governments, telecommunications providers, and cybersecurity experts to develop and implement comprehensive cybersecurity strategies.

The Town of Monument opposes legislation that:

- Reduces cybersecurity funding: Stands against legislative measures that cut funding for cybersecurity initiatives, which could weaken the municipality's ability to protect its telecommunications infrastructure.
- Hinders cybersecurity innovation: Opposes legislative efforts that impose restrictions on the development and implementation of advanced cybersecurity technologies, limiting the town's ability to stay ahead of emerging threats.
- Results in inadequate cybersecurity standards: Stands against legislation that sets insufficient cybersecurity standards for telecommunications systems, which could expose the municipality and its residents to increased risk of cyberattacks.

Water and Air Quality

Providing a safe, legal and reliable water supply to the Town's water customers is necessary for supporting a vibrant community. Water, especially in the West, is a precious resource that must be diligently protected. The Town supports legislative and funding proposals that:

- Supports long-range planning efforts to identify future water needs and projects.
- Protects the Town's water rights and the ability to use them with the flexibility needed for Town purposes.
- Supports Conservation programs that promote efficient water use.
- Coordinates responses for drought management.
- Proactively reduces storm water risk.
- Protects the air and water quality of the Pikes Peak Region.

The Town of Monument opposes legislation that:

- Creates undue regulatory burdens on small communities.

Support and Protect our Military Partners

The Town of Monument is a direct neighbor to the United States Air Force Academy and is the home to many active-duty military personnel, veterans, and their respective families. We ascribe to our community/military covenant and support legislative and funding proposals that:

- Provides additional support to military veterans, families and active-duty members.
- Strengthens our military's ability to fulfill its mission.
- Supports efforts to attract and expand military operations in Colorado.

Governmental Immunity

The Town of Monument recognizes that the complexity and diversity of Town operations and services required to meet the needs of residents may expose the Town, its officers, and employees to liability for damage and injury. The Town strongly believes that public officers and employees need to be assured that municipal liability will not impair the lawful and proper provision of necessary services to the public. Therefore, the Town of Monument supports legislative and funding proposals that:

- Provides new and continued State and Federal funding for school safety, disaster preparedness, Homeland Security, and hazardous material response.
- Protects the interests of municipalities, their officers, and their employees in the lawful and proper performance of their duties and responsibilities.
- Discourages baseless and frivolous claims and demands made against municipalities, their officers, and their employees.

The Town of Monument opposes legislation that:

- Expands or increases municipal liability, or, conversely, further limits municipal immunity.

General Finance

The Town of Monument strives to be a good steward of public trust. While sales and use tax revenue comprises the primary funding source for general government services, the Town's wide

variety of services are also funded through an array of other taxes, user fees, and other financing sources. Consequently, the Town of Monument supports legislative and funding proposals that:

- Maintains local control over imposition, collection and administration of sales and use taxes.
- Allows state and local governments to require businesses to collect state and local sales and use taxes on remote sales.
- Allows the continuation of existing local government financing methods and the addition of new methods for local government to support the provision of municipal services to residents.
- Enables equitable sharing with municipalities of existing and future State revenues derived from traditional state-collected, locally shared revenues, such as the cigarette tax, Highway Users Tax Fund, and the lottery.

The Town of Monument opposes legislation that:

- Enables State actions or exemptions that erode municipal sales taxes, use taxes, property taxes, and other revenue sources unless the State provides adequate replacement revenues.
- Enables State-mandated reductions to the current property tax structure without specific revenue replacement provisions.