



**MONUMENT TOWN COUNCIL
REGULAR MEETING AGENDA**

MONDAY, MARCH 16, 2026 – 6:30 PM

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

[Participate Via Microsoft Teams](#)

Participate Via Telephone 719-300-6099 ID: 549 410 280#

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

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

3. Approval of the Consent Agenda:

- a. Agenda - March 16, 2026
- b. Meeting Minutes - February 17, 2026
- c. Meeting Minutes - March 2, 2026
- d. Resolution No. 15-2026 - A Resolution Authorizing the Issuance of a Special Event Permit for Conducting the Annual Monument Hill Kiwanis 4th of July Parade - (*Portia Hermann*)
- e. Resolution No. 16-2026 - A Resolution Authorizing the Issuance of a Special Event Permit for Conducting the Annual 4th of July Street Fair and Beer Garden - (*Portia Hermann*)

4. Annexations: *Public Hearing(s) Required*

- a. Resolution No. 17-2026 - A Resolution Setting Forth Findings of Fact and Conclusions Regarding Proceedings For Certain Property Known As The Town of Monument Beacon Lite Road Water Tank Site Annexation - (*Dan Ungerleider*)
- b. Ordinance No. 04-2026 - An Ordinance Annexing Certain Lands Known As The Town of Monument Beacon Lite Road Water Tank Site Annexation - (*Dan Ungerleider*)

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

- a. Ordinance No. 05-2026 - An Ordinance Repealing and Readopting Chapter 15.12 of the Monument Municipal Code and Adopting the International Fire Code, the Colorado Wildfire Resiliency Code, and All Local Amendments - (*Dan Ungerleider*)
- b. Ordinance No. 06-2026 - An Ordinance Amending Sections 2.36.500, 2.36.600, and 2.36.700 and Repealing and Readopting Title 8 of the Monument Municipal Code - (*Town Attorney*)
- c. Ordinance No. 07-2026 - An Ordinance Amending Title 2 Section 2.36.030 of the Monument Municipal Code to Revise the Procedure for Scheduling Municipal Court Sessions - (*Chief Regan*)
- d. Ordinance No. 03-2026 - A Ordinance Prohibiting the Installation of Graywater Treatment Works and the Associated Use of Graywater Within the Town of Monument in Accordance With the Requirements of House Bill 24-1362 - (*Thomas Tharnish*)

6. Resolutions:

- a. Resolution No. 18-2026 - A Resolution Approving the Purchase of a New Water Emergency Response Vehicle - *(Thomas Tharnish)*
- b. Resolution No. 19-2026 - A Resolution of the Town Council of the Town of Monument, Colorado Approving an Investment Policy - *(Jennifer Phillips)*

7. 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.*

8. Future Agenda Item Authorization:

9. Reports:

- a. Town Manager's Monthly Report - *(Madeline VanDenHoek)*

10. Council Comments:

11. Executive Session

- a. Executive Session Pursuant to Section § 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 Relating to El Paso County PCD File No. EXBL261 –Administrative Boundary Line Adjustment and Potential Related Development Proposals - *(Town Attorney)*

12. Adjournment:

**MONUMENT TOWN COUNCIL
MEETING MINUTES**

Tuesday, February 17, 2026 - 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 Bob Cole, 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
ATTENDED REMOTELY:	
ABSENT WITH PRIOR NOTICE:	
ABSENT WITHOUT PRIOR NOTICE:	

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 disclosures with potential conflicts of interest were submitted.

3. Approval of the Consent Agenda

- a. Agenda - February 17, 2026
- b. Meeting Minutes - February 2, 2026
- c. Invoices Over \$25K

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

4. Presentations

a. 2021 International Fire Code and Colorado Wildfire Resiliency Code
Ungerleider introduced Division Chief Jonathan Bradley with Monument Fire Department. Bradley presented the 2021 international fire code and Colorado wildlife resilience code as included in the council packet. Bradley provided highlights to the 2021 international fire code local amendments. The Colorado wildfire resiliency has a deadline of April 1, 2026 for adoption and becomes effective July 1, 2026.

b. Impact Fee Report
Phillips introduced Brian Duffany with Economic & Planning Systems, Inc (EPS) presented the impact fee report as included in the council packet.

5. Ordinances *Public Hearing(s) Required*

a. Ordinance No. 02-2026 - An Ordinance Amending Title 13 of the Monument Municipal Code to Prohibit the Provision of Town Water Service to Properties Located North of the Palmer Divide

Mayor Pro Tem Steve King presented ordinance 02-2026 as included in the council packet. Mayor Mitch LaKind opened the public hearing, no comments were received. Mayor Mitch LaKind closed the public hearing. Councilmember Laura Kronick made a motion to approve ordinance no. 02-2026 and the motion was seconded by Councilmember Sana Abbott. Roll call vote was taken and the motion passed 7 to 0.

6. Resolutions

a. Resolution No. 09-2026 - A Resolution Authorizing Submission of a Federal Build Grant Application to Fund the Town's Jackson Creek Parkway Widening Project

Phillips and Ungerleider presented resolution 09-2026 as included in the council packet. Councilmember Marco Fiorito made a motion to approve resolution no. 09-2026 and approved a 30% local match for the Jackson Creek Parkway grant from the general fund reserve and the motion was seconded by Councilmember Laura Kronick. Roll call vote was taken and the motion passed 7 to 0.

b. Resolution No. 13-2026 - A Resolution Authorizing the Submission of a Grant Application to the Department of Local Affairs for the Energy/Mineral Impact Assistance Fund for the Development of a Master Transportation Plan

Phillips and Ungerleider presented resolution no. 13-2026 as included in the council packet. The council agreed to the local match of \$250k match to DOLA for the development of a master transportation plan. Councilmember Marco Fiorito made a motion to approve resolution no. 13-2026 and the motion was seconded by Councilmember Laura Kronick. Roll call vote was taken and the motion passed 7 to 0.

c. Resolution No. 11-2026 - A Resolution Approving a Fee In-Lieu of Water

Rights

Tharnish presented resolution no. 11-2026 as included in the council packet. Mayor Pro Tem Steve King made a motion to approve resolution no. 11-2026 and the motion was seconded by Mayor Mitch LaKind. Roll call vote was taken and the motion passed 7 to 0.

d. Resolution No. 12-2026 - A Resolution Approving a Policy for Evaluation and Acceptance of Groundwater Associated with Development

Tharnish presented resolution no. 12-2026 as included in the council packet. Councilmember Sana Abbott made a motion to approve resolution no. 12-2026 and the motion was seconded by Councilmember Chad Smith. Roll call vote was taken and the motion passed 7 to 0.

e. Resolution No. 10-2026 - A Resolution Approving a Lease Agreement with the Tri-Lakes Chamber of Commerce for Property Located at 166 Second Street
VanDenHoek presented resolution no. 10-2026 as included in the council packet. Councilmember Marco Fiorito made a motion to approve resolution no. 10-2026 and the motion was seconded by Councilmember Laura Kronick. Roll call vote was taken and the motion passed 5 to 2.

-Councilmembers Kenneth Kimple and Chad Smith opposed the motion.

7. Public Comments For Items Not on the Agenda

-No public comments were received.

8. Future Agenda Item Authorization

-VanDenHoek verified attendance for the special meeting for the Loop Water Authority Board of Directors on Wed. Feb 18 2026 to ensure a quorum.

-Council retreat attendance: Mayor Mitch LaKind, Mayor Pro Tem Steve King, Councilmember Laura Kronick, Councilmember Chad Smith, Councilmember Marco Fiorito will attend on Friday and Councilmember Sana Abbott would confirm. Councilmember Kenneth Kimple will not be attending.

9. Reports

a. Town Manager's Monthly Report

VanDenHoek gave appreciation to staff for the hard work conducted and the efforts put into the report and thanked Laura Hogan for assembling the information and making the report pretty.

10. Council Comments

-Councilmember Laura Kronick CSLAC gave appreciation to Laura Hogan's presentation as well as the Town Manager's report.

-Councilmember Kenneth Kimple questioned if all town fees are being looked at.

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 moved 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. Councilmember Laura Kronick seconded the motion. Roll call vote was taken and the motion passed 7 to 0.

b. Executive Session Pursuant to Section 24-6-402(4)(b), C.R.S. for the Purpose of a Conference With the Town's Legal Counsel Regarding Specific Legal Questions Pertaining to Buc-ee's Land Use Application With El Paso County

Councilmember Marco Fiorito moved to enter into executive session pursuant to 24-6-402(4)(b), C.R.S. for the purpose of a conference with the Town's legal counsel regarding specific legal questions pertaining to Buc-ee's land use application with El Paso County and returning to the regular meeting following the executive session. Councilmember Laura Kronick seconded the motion. Roll call vote was taken and the motion passed 7 to 0.

The Council entered executive session at 09:10 pm.

The Council concluded executive session at 11:20 pm.

The Council resumed the regular meeting at 11:25 pm.

Mayor Pro Tem Steve King clarified there isn't a land use application with El Paso County regarding Buc-ee's there is nothing to discuss, but where they had an application for annexation with Palmer Lake the same property is going through an administrative lot line adjustment.

The council directed the town to draft comments opposing the administrative action for the lot line adjustment and the Planning Director Ungerleider will submit comments to the EDARP site.

12. Adjournment

The council moved to adjourn the meeting, the motion was passed unanimously, the meeting was adjourned at 11:29 pm.

Respectfully Submitted,

Tina Erickson, Town Clerk

**MONUMENT TOWN COUNCIL
MEETING MINUTES**

Monday, March 2, 2026 - 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	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 Jenna Gorney, Senior Planner
ATTENDED REMOTELY: Councilmember Chad Smith	
ABSENT WITH PRIOR NOTICE:	
ABSENT WITHOUT PRIOR NOTICE:	

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 disclosures with potential conflicts of interest were received.

3. Approval of the Consent Agenda

- a. Agenda - March 2, 2026
 - b. Meeting Minutes - February 17, 2026
 - c. Special Meeting Minutes - February 18, 2026
 - d. Invoices Over \$25K
- Mayor Pro Tem Steve King made a motion to amend the agenda to include a

discussion after the second executive session to resume regular meeting to discuss a letter and a revision to the February 17, 2026 minutes and the motion was seconded by Councilmember Chad Smith. Roll call vote was taken and the motion passed 7 to 0.

4. Presentations

a. Tri-Lakes Chamber of Commerce

Terri Hayes with the Chamber of Commerce gave a presentation as included in the council packet about the Tri-Lakes Chamber of Commerce and what they do for the community.

b. Rename the Road: Crossfield Road Renaming Contest

Gorney presented the renaming of the road Crossfield Road renaming contest for public engagement process as included in the council packet. The contest will be on the Town of Monument website for 3 weeks, submissions can also be submitted in person at the Town Hall. The campaign will follow a 7- week timeline and have a ceremony upon decision of the new road name.

c. Draft Legislation on Monument Representation

Commissioner Wysong with El Paso County gave a presentation on the draft legislation on Monument representation on Fountain Creek Watershed. Wysong provided a map for the estimated bark beetle spread along the Colorado front range.

5. Ordinances *Public Hearing(s) Required*

a. Ordinance No. 03-2026 - A Ordinance Prohibiting the Installation of Graywater Treatment Works and the Associated Use of Graywater Within the Town of Monuments Water Service Area in Accordance With the Requirements of House Bill 24-1362

Tharnish presented ordinance 03-2026 as included in the council packet. The council had a discussion about how other water districts will be impacted by the house bill if the ordinance is written to include town boundaries. Mayor Mitch LaKind did not open the public hearing. Councilmember Marco Fiorito made a motion to continue ordinance no. 03-2026 and to modify the language in the ordinance to March 16, 2026 and the motion was seconded by Councilmember Laura Kronick. Roll call vote was taken and the motion passed 7 to 0.

6. Resolutions

a. Resolution No. 14-2026 - A Resolution Approving a Master Services Agreement With Respec Company LLC to Provide Construction Services for the Beacon Lite Road Pipeline Project and the Monument Hill Water Tank Project

Tharnish presented resolution no. 14-2026 as included in the council packet. Councilmember Marco Fiorito made a motion to approve resolution no. 14-2026 and the motion was seconded by Councilmember Laura Kronick. Roll call vote

was taken and the motion passed 7 to 0.

7. Public Comments For Items Not on the Agenda

- Atis Jurka provided a brief update regarding Palmer Lake.

8. Future Agenda Item Authorization

- Front Range Passenger Rail District presentation on March 16, 2026.

9. Council Comments

- Councilmember Marco Fiorito would like a follow up regarding leasing companies for maintaining roads and parking lots in commercial areas.
- Mayor Mitch LaKind gave appreciation for the retreat and the quality and professional work.

10. Executive Sessions

a. Executive Session Pursuant to §24-6-402(4)(e), C.R.S., to Determine Positions Relative to Matters That May Be Subject to Negotiation, Developing Strategy for Negotiations, and Instructing Negotiators, Regarding a Proposed Economic Development Agreement

Councilmember Marco Fiorito moved to enter executive session pursuant to 24-6-402(4)(e), C.R.S., to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, regarding a proposed economic development agreement. Councilmember Laura Kronick seconded the motion. roll call vote was taken and the motion passed 7 to 0.

b. Executive Session Pursuant to Section § 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 Relating to El Paso County PCD File No. EXBL261 - Administrative Boundary Line Adjustment and PCD File No. CDR261 Grading/Stockpile Permit Application

Councilmember Marco Fiorito moved to enter 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 relating to El Paso County PCD file no. EXBL261- administrative boundary line adjustment and PCD file no.

CDR216 grading/stockpile permit application and to return to the regular meeting. Councilmember Laura Kronick seconded the motion. Roll call vote was taken and the motion passed 7 to 0.

- The Council took a brief recess at 8:22 pm.

- The Council entered executive session at 8:30 pm.

- The Council concluded executive session at 8:55 pm.

- The Council resumed regular meeting at 8:57 pm.

The council gave direction for the Town Attorneys to review the drafted letter, the

planning director will then submit the revised letter to El Paso County.

11. Adjournment

Mayor Mitch LaKind moved to adjourn the meeting, the motion was passed unanimously, the meeting was adjourned at 8:59 pm.

Respectfully Submitted,

Tina Erickson, Town Clerk

draft



TOWN OF MONUMENT COUNCIL MEMORANDUM

TO: The Honorable Mayor and Town Councilmembers

FROM: Portia Hermann, Communications and Events Specialist

DATE: March 16th, 2026

SUBJECT: Monument Hill Kiwanis 4th of July Parade

STRATEGIC PRIORITIES (2026–2028)

- Ensure Long-Term Financial Health and Sustainability** - Supports long-range financial health, forecasting and sustainability to ensure efficient and resilient municipal services.
- Strengthen Community Engagement** - Enhances community engagement, and strengthens communication and collaboration with residents, partners, and neighboring communities.
- Enable Responsible Community Development** - Establishes clear, accountable plans, processes, and procedures for responsible and enduring community development and growth.
- Reinforce a Positive Work Culture** - Promotes a positive and professional work culture that attracts and retains top talent and enhances high-quality service delivery to the community.

BACKGROUND

The Town has received an application from the Monument Hill Kiwanis to hold the annual 4th of July Parade on Saturday, July 4, 2026. The application has been reviewed and approved by the appropriate departments. Monument Municipal Code 5.52.040 requires the Town Council to approve special event permits for events with estimated attendance of over 1,000 people.

DISCUSSION / ANALYSIS

The Monument Hill Kiwanis historically has sponsored the Annual 4th of July Parade. They have provided the certificate of insurance and all departments have reviewed and provided approval to conduct the proposed Special Event. This year's event will be held in Downtown Monument on Saturday, July 4, 2026 from 6:00 am – 11:30 am. The event is anticipated to have more than 1000 participants and therefore, requires approval by Council.

FINANCIAL IMPACT

Unqualified benefits to Town businesses and Town revenue.

RECOMMENDED ACTION

I move to approve Resolution No. 15-2026, authorizing the issuance of a special event permit for conducting the 4th of July Parade on Saturday, July 4, 2026.

ATTACHMENTS

1. Special Event Permit Application
2. Resolution No. 15-2026

SPECIAL EVENT APPLICATION ROUTING SLIP

Event #: 2026-06

Please sign off on the attached Special Event Application to signify approval and/or make comments below.

Date Routing Started: 2/23/2026

Applicant's Name: 4th of July Parade
Monument Hill Kiwanis

TOWN CLERK

Tina Erickson

Tina Erickson (Feb 23, 2026 13:56:00 MST)

Signature

02/23/26

Date Approved

n/a

Comments

PLANNING DEPARTMENT

Dan Ungerleider

Dan Ungerleider (Feb 24, 2026 10:20:36 CST)

Signature

02/24/26

Date Approved

Comments

POLICE DEPARTMENT

[Signature]

Signature

03/04/26

Date Approved

This is a all hands working event for the police department, and reimbursement

pay for PD activities determined by Madeline VanDenHoek.

Comments

FIRE DEPARTMENT

J. Bradley

J. Bradley (Feb 23, 2026 13:55:05 MST)

Signature

02/23/26

Date Approved

Comments

PARKS DEPARTMENT

Andrew Archuleta

Andrew Archuleta (Feb 24, 2026 07:14:35 MST)

Signature

02/24/26

Date Approved

Comments



Town of Monument SPECIAL EVENT APPLICATION PACKET

Dear Event Planner,

We are excited you have chosen Monument for your special event! The success of your event relies upon your event planner providing us with complete and detailed information. Our role is not to plan your event, but to help you with the process, approve required permits and applications, and help mitigate potential problems. A special event permit is required if your event meets any of the criteria below:

1. The event requires a street closure, or significantly interrupts the flow of traffic in public rights-of-way, or access to private and/or commercial properties.
2. The event is estimated to have 100 or more people in attendance and is to take place in a public park.
3. The event is an outdoor event that includes the sale or consumption of alcoholic beverages to or by the public. (A special event liquor permit is also required for this purpose, applied with and issued by the Town Clerk)
4. Reserving the bandshell located at Limbach Park.

This application contains a series of forms. You will only need to submit the forms applicable to your event. We encourage you to utilize the planning checklist (pages 2-4) to help you determine which forms you need to submit with your application. Prior to planning your event, we ask that you consider the following: emergency responders' access to roads, neighbors and businesses affected by ongoing noise and street closure impacts. The Town may suggest alternatives to decrease any negative impacts. Feel free to email the Communication and Events Specialist at events@tomgov.org to discuss your plans prior to applying.

Email your completed application packet to events@tomgov.org for review. Staff will then conduct a review and will contact you when your application has been processed, if additional information or plan modification is required, and what your fees will amount to.

The Town of Monument requires your completed event application to be submitted to the Town within the time frames outlined below:

1. 30 days prior to the event for events with estimated attendance of under 1,000 people.
2. 45 days prior to the event for events with an associated request for a Special Event Liquor Permit.
3. 120 days prior to the event for events with estimated attendance of over 1,000 people.

Events with estimated attendance of over 1,000 people will require approval from the Town Council.

Once your application has been approved and your fees have been paid, you will receive a Special Event Permit from the Town. You will need to have the permit with you at the event as proof of authorization.

We look forward to working with you to obtain approval for your event and thank you for choosing the Town of Monument as your preferred location.

Regards,

Portia Hermann
Executive Assistant to the Town Manager/Communication and Events Specialist
Town of Monument
645 Beacon Lite Rd., Monument, CO 80132

719-481-2954 | events@tomgov.org

CHECKLIST AND FEE BREAKDOWN

This checklist, including pages 3 and 4, will assist you in financially planning your special event, and knowing which forms to submit. Not all fees listed may be applicable to your event. The Events Specialist can assist you in determining which fees will be applicable to your event.

		Total
Application Fee:		
<input checked="" type="checkbox"/> Special Event Permit Fee:	\$100 (Fee waived for Non-Profits)	0.00
Park Usage Rental Fees:		
<input type="checkbox"/> Maintenance Fee: General maintenance of park/facility prior to event.	\$35	
<input type="checkbox"/> Deposit (Refundable):	\$100	
<input type="checkbox"/> Public Works Department Service Fee: Town will provide and set up temporary fencing, if applicable. If opting out, please see #4 on Form 2.	\$500	
Reservation Fees:		
<input type="checkbox"/> Dirty Woman Creek Park Pavilion & Grills (North end)	\$50 (total, first 4 hours) \$15 per each additional hour. Cost is determined from start of set up, to completion of tear down.	
<input type="checkbox"/> Dirty Woman Creek Park Sports Field (South end)		
<input type="checkbox"/> Limbach Park Bandshell		
<input type="checkbox"/> Santa Fe Trail Baseball Fields (North Field)		
<input type="checkbox"/> Santa Fe Trail Baseball Fields (South Field)		
Other Fees:		
<input type="checkbox"/> Special Event Liquor Permit: If you are a non-profit organization and would like to sell or serve alcoholic beverages to attendees of your event, you must apply for a Special Event Liquor Permit with the Town Clerk.	\$100 application fee plus \$25/day Liquor permit or \$10/day 3.2% permit	
<input type="checkbox"/> Monument Police Department Patrol: Event holders may be required to hire police officers to provide security at special events. Total charges will be determined by the Monument Police Department, to be paid by separate check to the Town of Monument.	\$70 per officer, per hour. Minimum of 2 hours. (Use shaded chart below to determine requirement.)	
Estimated Participants	# of Officers Required Event w/Liquor License	# Officers required Event without Alcohol
Up to 500	2	0
501 to 999	Determined by Chief of Police	1
1000 or more	Determined by Town Council	
Total Fees Due:		

Special Event Application (FORM 1): All event holders are required to submit the Special Event Application.

Site Plan: Please attach a detailed drawing that shows the layout of the event as close to scale as possible. The site plan should include:

- **Overall Plan:** An outline of the entire event venue including the names of all streets or areas that are part of the event.
- **Event Components:** Identification of all event components including stages, platforms, bleachers, canopies, tents, beer gardens, cooking areas, trash containers and dumpsters, temporary structures, and entrance and exit locations.
- **Electrical:** Include generator locations and/or electricity sources.
- **Restrooms/Portable Toilets:** Event holders must provide bathroom access. You must specify where these restroom facilities will be located on your event site plan and whether they are gender specific and handicap accessible. If you are hosting an event at a Town park that has restrooms, please also mark those on your site plan.
- **Fencing/Barricades:** The location of fencing, barriers and/or barricades. Indicate any removable fencing for emergency access. Remember to provide for a minimum of 20-foot emergency access lanes throughout the event venue.
- **First Aid/Medical:** The location of first aid facilities, ambulances and lost child station, if applicable.
- **Vendors:** Detailed location of all vendor booths, including food vendors.
- **Parking:** Attach a parking plan that establishes where attendees will be directed to park their vehicles.
- **Handicapped Accessibility:** Event holders must establish ADA compliant ways for handicapped persons to park, access the event and ADA accessible restrooms, and note them on the event site plan.

Special Event Rules & Regulations (FORM 2): All event holders are required to read and sign a Rules & Regulations form.

Use of Town or Recreational Facility/Sports Field Release and Indemnification Agreement (FORM 3A): All event holders using a town park or facility must read and sign the agreement. **Participant/Parent of Participant Signature Form (Form 3B)** may also be required.

Certificate of Insurance: All event holders must provide the Town of Monument with a certificate of general liability insurance policy covering claims that may arise during to the event, including participant and spectator liability. The policy must have a minimum limit of \$1,000,000 per occurrence and must name the Town of Monument as additionally insured. Because this often is a lengthy process, the Town will accept your application and begin the review process pending receipt of proof of insurance no later than 30 days prior to the event. The responsible organization/individual shall indemnify and hold harmless the Town, its officers, officials, employees and insurance pool from and against any and all damage and loss to person or property and shall defend the Town from any and all claims, demands, suits, actions or proceedings of any kind, including costs of actions and reasonable expert fees and attorney fees incurred by the Town in any way resulting from or arising out of the special event.

A copy of the policy or appropriate insurance certificate shall be provided to the Town prior to issuance of a special event permit to the applicant. Send certificates of insurance and copies of policy endorsement to certificate holder:

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

Email: events@tomgov.org

Sanitation and Waste Management Plan (FORM 4): The Town of Monument recommends two (2) chemical or portable toilets for every 250 people. This figure is based upon the maximum number of attendees at your event during peak time. We are requiring a minimum of 10 percent (10%) of portable toilets, but never less than one (1) unit must be accessible. Further, the ADA Standards require when clusters of portable units are provided at various locations around the event site, at least one unit in each cluster must be accessible. Accessible units should be located on an accessible route and equipped with all the accessible elements such as maneuvering space, grab bars, toilets paper dispensers within reach, etc. In addition, when all units are not accessible, the International Symbol of Accessibility must be posted on the units that are. Trash containers are to be emptied at the conclusion of your event, by either your event staff/ volunteers or by a trash company of your hiring. Failure to empty trash at the conclusion of your event could result in the loss of deposit.

Emergency Services Plan (FORM 5): All applicants must provide a plan highlighting emergency access routes and a plan to mitigate fire, weather and medical emergencies. The Tri-Lakes Monument Fire Protection District is available for hire for all special events within the Town of Monument. For more information, call 719-484-0911.

Parade or Race (FORM 6): All events that include a parade or race (foot, bike or any other) must submit a Parade or Race form.

Temporary Street Closure (FORM 7A & 7B): For events requiring street closures, street activities, or requiring

public parking to be blocked off, applicants must submit a Temporary Street Closure Request form (FORM 7A) and a completed Special Event Street Closure Petition (FORM 7B).

Buildings, Temporary Structures and Power Sources (FORM 8): Any event involving the placement of any temporary structure (including stages or bleachers) or installing any power-generation source (generator) may require a permit from the Tri-Lakes Monument Fire Protection District.

Entertainment and Vendors (FORM 9A): All events that include vendors, entertainment or amplified sound must submit an Entertainment and Vendors form.

Food Vendors: The event holder is responsible to make sure all food vendors are properly licensed through El Paso County Public Health. For information on obtaining a license, call 719-578-3199 or visit www.elpasohountyhealth.org

Vendor List (FORM 9B): The event holder is required to list all vendors participating in the special event.

Sales Tax License – Retail Vendor Sales: The Town of Monument and the State of Colorado mandate full tax license compliance prior to approval of this event. If your event includes food or retail sales of any kind, you must collect a copy of all vendors' current sales tax licenses and provide them with the application to remit all sales tax. The Town of Monument's Sales Tax rate is 3.50%. Sales tax is remitted directly to the Town of Monument, a Home Rule jurisdiction. El Paso County sales tax rate is 1.23%, and the State of Colorado sales tax rate is 2.9%. Both county and state sales tax must be remitted directly to the state.

Notify the State of Event: If your event includes food and/or retail sales, you will need to email the state at: dor_specialevents@state.co.us to include the date, time, and location of your event so it can be listed on Revenue Online in order for your vendors to file with the state.

Amplified Sound - Noise Ordinance (Monument Municipal Code 8.20): The Town of Monument's noise ordinance applies to all events utilizing amplified sound. During the event, Town law enforcement officers must be allowed access for purposes of monitoring sound levels. The Special Event Application shall reflect whether amplified sound will be used during the event. The approval of a Special Event Application is not an authorization to violate the Town's noise ordinance. Members of the police department are empowered to make a prima facie determination as to whether a noise is unreasonable. If a complaint occurs, authorities will contact the special event organizer. Event holders are cautioned to use amplified sound responsibly.

Security (FORM 10): The police department reserves the right to specify the need for and number of security personnel required at an event. The police department will review all special events applications for required security arrangements. The safety of the community and attendees are always of primary concern. Additional fees may apply and will be invoiced by the police department.

Hazardous Conditions (FORM 11): Special events that include firearms or weapons, open burning or other hazardous conditions must include a Hazardous Conditions form with the application

Special Event Liquor Permit: If you are a qualifying organization and would like to sell or serve alcoholic beverages to attendees of your event, you must apply for a Special Event Liquor Permit with the Town Clerk.

Property Use Permission/Agreement: If your event includes the use of facilities or property that belongs to another individual, entity, municipality, county or business, please attach a copy of your permission letter or agreement for said use.

Americans with Disabilities Act (ADA) Requirements: Applicants are expected to make every effort to follow ADA guidelines to accommodate and maintain access for people with disabilities. This may include providing a clear path of travel to and on sidewalks, curb-cuts and restrooms; as well as maintaining already designated parking and accessibility to portable restrooms. The following resources are available for more information regarding ADA requirements:

Rocky Mountain ADA Center - ADAInformation.org - 800.949.4232

**Please return all applications and supporting documents to
Portia Hermann, Executive Assistant to the Town Manager/Communication and Events Specialist at:
645 Beacon Lite Rd., Monument, CO 80132 | 719-481-2954 | events@tomgov.org**

SPECIAL EVENT APPLICATION (required)– Form 1

Event Name: Monument Hill Kiwanis Club 2026 4th of July Parade

Event Date: July 4, 2026 Start time: 7:00 am End Time: 12:00 pm

Event Description:
This is the annual July 4 Parade for the Town of Monument.

APPLICANT:

Organization or Applicant Name: Monument Hill Kiwanis Club (MHKC)

Event Planner/Contact Person: Frank DeLalla, MHKC Parade Director

Address: [REDACTED] City: Colorado Springs State: CO Zip: 80921

Phone: [REDACTED] Cell: [REDACTED] Fax: N/A

Email Address: [REDACTED]

Organization and/or Event Website: www.monumenthillkiwanis.org

Contact On-Call During Event: [REDACTED] Cell: [REDACTED]

The applicant requests to reserve exclusive use of the following Town of Monument park or facility if available, fees apply:

- Dirty Woman Creek Park Pavilion & Grills (North end)
- Dirty Woman Creek Park Sports Field (South end)
- Limbach Park Bandshell
- Santa Fe Trail Baseball Fields (North Field)
- Santa Fe Trail Baseball Fields (South Field)

With your park rental, the following items are included (any additional items will be at the expense of the event holder):

- Use of existing park trash cans. Cans will be emptied by Town staff on last business day, preceding event. Event holder must supply their own staff to empty trash cans at conclusion of event and/or dumpsters rented by the event holder.
- Use of Town picnic tables
- Use of Town restrooms. Town restrooms will be maintained and cleaned by Town staff on last business day, preceding event. Additional portable restroom units, if required/needed, are the event holder's responsibility and will not be maintained by Town staff.
- Use of electrical outlets, if applicable. Any needed power boxes or cords must be provided by/rented through a rental company and will be the expense of the event holder.

Event holder requests the Town of Monument to turn off the park sprinkler system for this event.

SPECIAL EVENT APPLICATION (required)– Form 1 (cont.)

EVENT DETAILS:

What time will set up begin? 6:00 am What time will tear down be completed? 7/5/2026; 8:00 am

Number of attendees expected: 20,000

Parking spaces recommended (approximate attendance divided by 3): 5,000

COMMUNITY/NEIGHBORHOOD NOTICE:

Please outline your plan for notifying the community, neighborhoods and media for your event.

- Notifications will be handed out approximately one week prior to the event
- Leaflets to homeowners on west side of Old Denver Highway will be delivered by PRHS Football Team members
- Leaflets with map will be distributed to homeowners in downtown Monument
- Businesses in downtown Monument will be notified approximately two weeks prior to the event

SIGNATURE

By signing this application, I agree that I have read and under the conditions of the Special Events Application from the Town of Monument. I understand that I must respond in a timely manner to requests for additional information and be available to meet with staff regarding any questions surrounding my special event application. Failure to meet any requirements set forth by Town staff may result in the delay of approval or the denial of this application. I acknowledge that the information contained in this application is true, correct and complete to the best of my knowledge.

Applicant Signature: 

Date: January 29, 2026

SPECIAL EVENT RULES & REGULATIONS (required)– Form 2

Event Name: Monument Hill Kiwanis Club 2026 4th of July Parade

The responsible organization, as a condition of being granted a special event permit within the Town of Monument, agrees to abide by the following rules, regulations and conditions established by the Town as follows:

1. The services and activities provided by the event are those of an independent entity and not as an employee, officer, official or agent of the Town.
2. The responsible organization shall indemnify and hold harmless the Town, its officers, officials, employees and self-insurance pool from and against any and all damage and loss to person or property and shall defend the Town from any and all claims, demands, suits, actions or proceedings of any kind, including costs of actions and reasonable expert fees and attorney fees incurred by the Town in any way resulting from or arising out of the community event. This provision shall not and is not intended, in any way or manner, to waive or cause the waiver of the defenses or limitations on damages provided by the Colorado Government Immunity Act, Section 24-10-101 et seq., Colorado Revised Statutes, the Colorado Constitution, or the common law or laws of the United States or Colorado.
3. The responsible organization shall procure and maintain, at its own costs, liability insurance in the amount of not less than \$1,000,000 against all claims, demands and other obligations incurred by the event planner in its performance of the community event. Such insurance shall be in addition to any other insurance requirements imposed by law. The Town of Monument must be listed as additionally insured on the policy. The responsible organization shall not be relieved of any liability, claims, demands or other obligations assumed pursuant to Section 2 of these "Rules" by reason of its failure to procure or maintain insurance in insufficient amounts, durations or types. A copy of the policy shall be provided to the Town and approved by the Town as a condition of the event being approved.
4. The responsible organization, if holding the special event on Town property shall, upon conclusion of the event, return the site to its pre-event condition immediately. This includes fencing. If you opted out of the Public Works Department Service fee, you are required to take the fencing down at the conclusion of your event and return it to the location and in the condition it was delivered.
5. The Town of Monument cannot guarantee availability of public property for special events. If two or more special events plan to use the same Town property on the same date, Town staff will strive to accommodate each event by working with the organizers to find alternative locations or dates.
6. The Town of Monument cannot issue permits or approve activities on behalf of other jurisdictions, such as the El Paso County Health Department, Palmer Lake, El Paso County, or Monument Tri-Lakes Fire Protection District. It is the responsibility of the organization or event planner to secure the necessary approval from other entities and to demonstrate said permission to the Town of Monument.
7. Any tents, pop-ups, "ez ups", or shelter of any type, must NOT be staked into the ground. Weights, sandbags, water weights are acceptable to use. Stakes can cause damage to underground irrigation lines.

Failure to adhere to these rules and regulations will result in loss of deposit.

Applicant's Signature: _____

Date: January 29, 2026

Printed Name: Frank J. DeLalla

USE OF TOWN OF RECREATIONAL FACILITY / SPORTS FIELD RELEASE/INDEMNIFICATION – Form 3A

I. RELEASE OF LIABILITY AND INDEMNIFICATION AGREEMENT: PARTICIPANT MUST READ CAREFULLY BEFORE SIGNING

In consideration for being permitted to utilize the Town of Monument 's recreation facility/sports field, I hereby acknowledge, represent, and agree as follows:

A. I understand that the above-described activities are or may be dangerous and do or may involve risks of injury, loss, or damage. I further acknowledge that such risks may include but not be limited to bodily injury, personal injury, sickness, disease, death, and property loss or damage. I acknowledge that such risks may arise from a variety of foreseeable and unforeseeable circumstances connected with the use of the recreation facility/sports field.

B. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, I hereby expressly assume all such risks of injury, loss, or damage to me or to any third party arising out of or in any way related to the above-described activities, whether or not caused by the act, omission, negligence, or other fault of the Town of Monument, its officers, its employees, or by any other cause.

C. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, I further hereby waive, and exempt, release, and discharge the Town of Monument, its officers, and its employees from, any and all claims, demands, and actions for such injury, loss, or damage, arising out of or in any way related to the above-described activities, whether or not caused by the act, omission, negligence, or other fault of the Town of Monument, its officers, its employees, or by any other cause.

D. I further agree to defend, indemnify and hold harmless the Town of Monument, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, including any third party claim asserted against the Town of Monument, its officers, employees, insurers, or self-insurance pool, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any way related to the above-described activities, whether or not caused by my act, omission, negligence, or other fault, or by the act, omission, negligence, or other fault of the Town of Monument, its officers, its employees, or by any other cause.

E. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, I hereby acknowledge and agree that said **AGREEMENT** extends to all acts, omissions, negligence, or other fault of the Town of Monument, its officers, and/or its employees, and that said **AGREEMENT** is intended to be as broad and inclusive as is permitted by the laws of the State of Colorado. If any portion hereof is held invalid, it is further agreed that the balance shall, notwithstanding, continue in full legal force and effect.

F. I understand and acknowledge that the Town of Monument, its officers, and its employees are relying on, and do not waive or intend to waive by any provision of this **RELEASE AND INDEMNIFICATION AGREEMENT**, the monetary limitations (presently \$150,000 per person and \$600,000 per occurrence) or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. §24-10-101 et seq., as amended, or otherwise available to the Town of Monument, its officers, or its employees.

G. I understand and agree that this **RELEASE AND INDEMNIFICATION AGREEMENT** shall be governed by the laws of the State of Colorado, and that jurisdiction and venue for any suit or cause of action under this Agreement shall lie in the courts of El Paso County, Colorado.

II. PARTICIPANT SIGNATURE AND DATE: Participant's Printed Name: _____

Participant's Signature: _____ Date of Signature: _____

III. IF PARTICIPANT IS UNDER 18 YEARS OLD, PARENT SIGNATURE AND DATE:

By initialing above and signing below, I acknowledge that I am the parent of the above-named Participant as the term "parent" is defined in C.R.S. Section 13-22-107(2)(b), and I hereby waive and release any prospective claim of the Participant against the Town of Monument, its officers, and its employees for negligence, to the extent provided in C.R.S. Section 13-22-107(3), in connection with the above-described activities.

Parent/Guardian's Signature: _____ Date of Signature: _____

H. This **RELEASE AND INDEMNIFICATION AGREEMENT** shall be effective as of the date set forth below and shall be binding upon me, my successors, representatives, heirs, executors, assigns, and transferees.

SANITATION & WASTE MANAGEMENT PLAN (required) – Form 4

Event Name: Monument Hill Kiwanis Club 2026 4th of July Parade
Event Date: July 4, 2026 Location: Downtown Monument

All special event applications must include a sanitation and waste management plan that identifies contractors utilized for portable restrooms and trash removal as a condition of the approval of the event.

RESTROOMS

The Town of Monument recommends two (2) chemical or portable toilets for every 250 people, based upon the maximum number of attendees at your event during peak time. We are requiring a minimum of 10 percent (10%) of portable toilets, but but never less than one (1) unit must be accessible. ADA Standards require when clusters of portable units are provided at various locations around the event site, at least one unit in each cluster must be accessible. Accessible units should be located on an accessible route and equipped with all the accessible elements such as maneuvering space, grab bars, toilets paper dispensers within reach, etc. In addition, when all units are not accessible, the International Symbol of Accessibility must be posted on the units that are.

How many portable restrooms will be at the event? 40 When will they be delivered? July 3, 2026
When will they be picked up? July 5, 2026 or July 7, 2026 if they do not pick up on weekends
Name of Vendor: United Site Services
Contact: Lara Ventura Phone: _____
Address: PO Box 664475 City: Dallas State: TX Zip: 75266

TRASH

How do you plan to manage trash for this event? Event staff and/or volunteers Contract with a company

Event Staff and/or Volunteers:

How many trash containers will be used? 50 How often do you plan on emptying them? Once-end of event

Where will trash be deposited when containers are emptied (during and at the conclusion of the event)

PRHS will assist with trash pck-up. Trash will be deposited in 40' dumpster behind Chanber of Commerce

Contract with Company:


Name of Company: _____

Contact name: _____ Phone: _____

Address: _____ City: _____ State: _____ Zip: _____

SIGNATURE

I, the undersigned, hereby attest that I have notified the Town of Monument of my sanitation and waste management plan for the event I am organizing.

Applicant Signature:  Date: January 29, 2026

EMERGENCY SERVICES PLAN (required)– Form 5

Event Name: Monument Hill Kiwanis Club 2026 4th of July Parade

Event Date: July 4, 2026 Location: Downtown Monument

All special events must provide a plan highlighting emergency access routes and a plan to mitigate fire, weather and medical emergencies. Emergency access routes must be noted on the site plan.

The Monument Fire Protection District may be available for hire for all special events within the Town of Monument. Additional fees will be determined and invoiced by the District and will be the responsibility of the event holder. For more information, call 719-484-0911.

Have you provided access for emergency responders in your site plan drawing? Yes No
Have you hired a professional emergency medical services provider to manage your event? Yes No

If yes, please provide company information.

Name of Company: Community Emergency Response Team (CERT)

Address: _____ City: _____ State: _____ Zip: _____

Contact: Robin Adair Phone: 719-385-5957

Will there be any on-site first aid or ambulances? Yes No
If yes, please note location on your site plan.

Describe your plan for handing an emergency (attached additional pages if needed).

- CERT will be located on 2nd Street

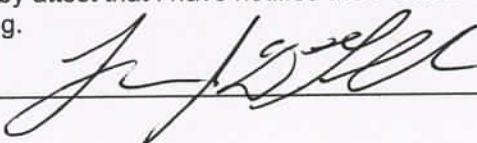
- Tri Lakes Fire Department will also be in attendance

- A Safety Meeting to include Monument Police Department, Tri-Lakes Fire Department, CERT, D-38 Transportation, and any other involved organizations will be held approximately one month before the event to coordinate emergency procedures

- Tri-Lakes Women's Club will man the Lost Child Booth

SIGNATURE

I, the undersigned, hereby attest that I have notified the Town of Monument of my emergency services plan for the event I am organizing.

Applicant Signature:  Date: January 29, 2026

PARADE & RACE – Form 6

Event Name: Monument Hill Kiwanis Club 2026 4th of July Parade

Event Date: July 4, 2026 Location: Downtown Monument

Parade and/or race route maps must be included with this application, including the start and ending locations. Hand drawn maps are not recommended but must be legible if used.

PARADE

Participants: Number and type of motor vehicles/floats: ~185/~40, based on prior year participation

Number and type of mounted animals: Horses: 45; Other Miscellaneous: 10-15

Number of total entries: ~100, based on prior year participation

- Vehicles towing trailers are not considered floats.
- No vehicles or floats can exceed a height of 12 feet or length of 45 feet.
- The Town of Monument encourages parade entries to be careful if they wish to throw candy or handouts from vehicles or floats. This creates dangerous situations for children running into the middle of the parade route with motorized vehicles. If entries want to distribute candy or other items to spectators, the Town encourages participants walk candy or handouts to children and spectators, or walkers can throw candy along the street edge.
- No shooting Silly String or water guns from vehicles or floats.
- Alcoholic beverages, drugs and tobacco are forbidden on any float, in any vehicle or by any participant. Participants consuming these prior to or during the parade will be removed from the lineup. All Town, county and Colorado state statues concerning the consumption of alcoholic beverages will be strictly enforced by the police before, during and after the parade.
- Drivers of any and all vehicles in the parade areas must possess a valid driver's license and possess all liability vehicle insurance.
- Exhibitions of speed or reckless driving, (wheelies, peeling out, burnouts, etc.) are not permitted.

RACE

Participants: Number of pedestrian/foot racers: Palmer Lake Fun Run

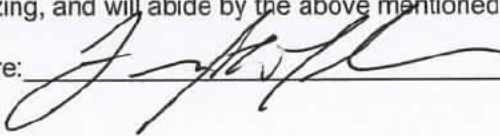
Number of bicyclists: _____

Number of total participants: _____

Please describe the details of the race: The Palmer Lake Fun Run is a separate group/event.

SIGNATURE

I, the undersigned, hereby attest that I have notified the Town of Monument of my parade and race plans for the event I am organizing, and will abide by the above mentioned rules/regulations.

Applicant Signature:  Date: January 29, 2026

TEMPORARY STREET CLOSURE REQUEST – Form 7A

Applications for a Temporary Street Closure permit shall contain, at a minimum, the following information and shall provide such additional information and materials as may be requested or required.

STREET CLOSURE REQUEST

- Applicant(s) are responsible for contacting residents affected by the proposed Temporary Street Closure request. A petition (FORM 7B) shall be circulated to all residents and 80% of the affected residents, at a minimum, shall favor the Temporary Street Closure. The circulated petition shall be submitted with the Temporary Street Closure request.
- Applicant must include a map of affected area with application outlining the following:
 - Identify the entire venue including the names of all streets or areas to be closed.
 - The map must indicate the route and direction of proposed event.
 - Identify the location and type of all temporary traffic control devices and personnel.
 - Allow 20-foot emergency access lanes throughout the event venue.

Event Name: Monument Hill Kiwanis Club 2026 4th of July Parade

Event Date: July 4, 2026 Location: Downtown Monument

Affected Intersection(s) of Street Closure Request (attach map of affected area): See Attached Map

Describe Request: _____

Start Time: 10:00 am Finish Time (no later than 10 p.m.): 12:00 Noon

Name of Barricade Company: Monument Hill Police Department will handle stree closure

Barricade Company Contact: _____ Phone of Barricade Company: _____

APPLICANT

Organization or Applicant Name: Monument Hill Kiwanis Club

Event Planner/Contact Person: Frank DeLalla

Address: [REDACTED] City: Colorado Springs State: CO Zip: 80921

Phone: [REDACTED] Cell: [REDACTED] Fax: N/A

CONDITIONS

1. Applicant(s) are responsible for contacting residents affected by the Temporary Street Closure request. A Petition (FORM 7B) shall be circulated to all affective residents and/or businesses and 80%, at a minimum, shall favor the Temporary Street Closure. The circulated Petition submitted with the Temporary Street Closure request shall be attached to the permit.

2. A barricade with "Road Closed" signs shall be used to close the street. Applicant(s) are responsible for renting barricades. Barricades must be staffed at all times to answer questions and maintain barricades. Barricades must be movable to accommodate emergency access for police, fire and emergency medical services.
3. Advance notice signs shall be placed at the locations of the street closure shown on the site plan one week prior to the event. Signs should be "H" type frame and secured. Tripod frames not allowed. Placement, maintenance and pickup of the sign(s) are the responsibility of the event holder.
4. A drive aisle of 20 feet shall be kept clear and open at all times for the entire length of the Temporary Street Closure for use of emergency personnel. The Town of Monument requires all related event set-ups (tables, chairs, toys, etc.) be placed on one side of the street only to allow access for emergency vehicles in the event of an emergency.
5. Applicant(s) are responsible for cleanup after the Temporary Street Closure or related event.
6. Town of Monument's Noise Ordinance will be enforced. If during the Temporary Street Closure or related event, the Town of Monument determines there is a public safety hazard, law enforcement officers respond on more than one occasion to noise or any complaint related to this event, or if there is a violation of any permit condition, the Special Event permit will be revoked immediately. Additionally, a ticket may be issued for any nuisance complaints. Upon revocation of this permit, the applicant(s) will be responsible for closing down any related event immediately, ensuring participants vacate the premises, removing barricades and thoroughly removing any related event supplies and trash. The Town of Monument is not responsible for any expenses incurred by the permit holder(s).
7. Applicant(s) understands that this is a revocable permit, which can be canceled at any time if complaints are received or Town or State laws are violated.
8. If law enforcement officers respond to a complaint of noise, or any complaint related to this event, the applicant(s) must immediately identify themselves to the responding officers as the responsible parties. The applicant(s) must cooperate in helping resolve complaints.
9. All applicable Town of Monument Ordinances and regulations have been or will be complied with, in accordance with this Revocable Temporary Street Closure permit. The applicant(s) will take responsibility for any violation of Town of Monument laws that occur in relation to the Temporary Street Closure or related event.

SIGNATURE

As an applicant requesting a temporary street closure, I certify that I have read and understand all of the conditions and procedures that are required in order to obtain permission and I agree to comply with each of those conditions and procedures. I agree to indemnify and hold harmless the Town of Monument, and all Town of Monument officers, employees, agents and representatives, from any claims, liability, court awards, or damages, including the costs of defending such claims, and including costs and attorney's fees that are or may be awarded as a result of any loss, injury or damage sustained or claimed to have been sustained by anyone, including but not limited to any person, firm, partnership, or corporation that may arise from the occurrence of the temporary street closure or from any event related to the temporary street closure.

I understand that a Special Event permit does not authorize violation of Town or State laws, except to the limited extent that it allows a street to be temporarily closed in conformity with permit conditions. I also understand that a temporary street closure does not excuse failure to comply with orders of law enforcement personnel, firefighters or other emergency workers, and that it does not provide immunity from civil claims of third parties that are based upon damages occurring at, or in conjunction with, a temporary street closure or from related events.

I affirm, under penalty of per jury, that the statements and representations made in connection with this application are true to the best of my knowledge. I have read, understand and agree to the temporary street closure requirements.

Applicant Signature:  Date: January 29, 2026



PUBLIC PARKING

Lewis-Palmer High School
1300 Higby Rd



Buses Depart
7:30am - 9:45am
Buses Return
12:30pm - 3:00pm

Jackson Creek Parkway

I-25

Exit 161

CO 105

CO 105

CO 105

Van back to Woodman Valley Chapel at Bethesda Senior Center

Parade START

ADA Parking
259 Beacon Lite

Beacon Lite

Lavelett Park

Monument Police

Santa Fe Regional Trail

Palmer Lake Fun Run Finish

Church Parking Lot

Big Red

Adams

Old Denver

Band & Horse Assembly Area

Santa Fe Regional

Lineup Area

Jefferson

Washington

3rd St

2nd St

1st St

Chamber of Commerce

St Peter

Franklyn

Lincoln

Front

Parade Announcer

Limbach Park

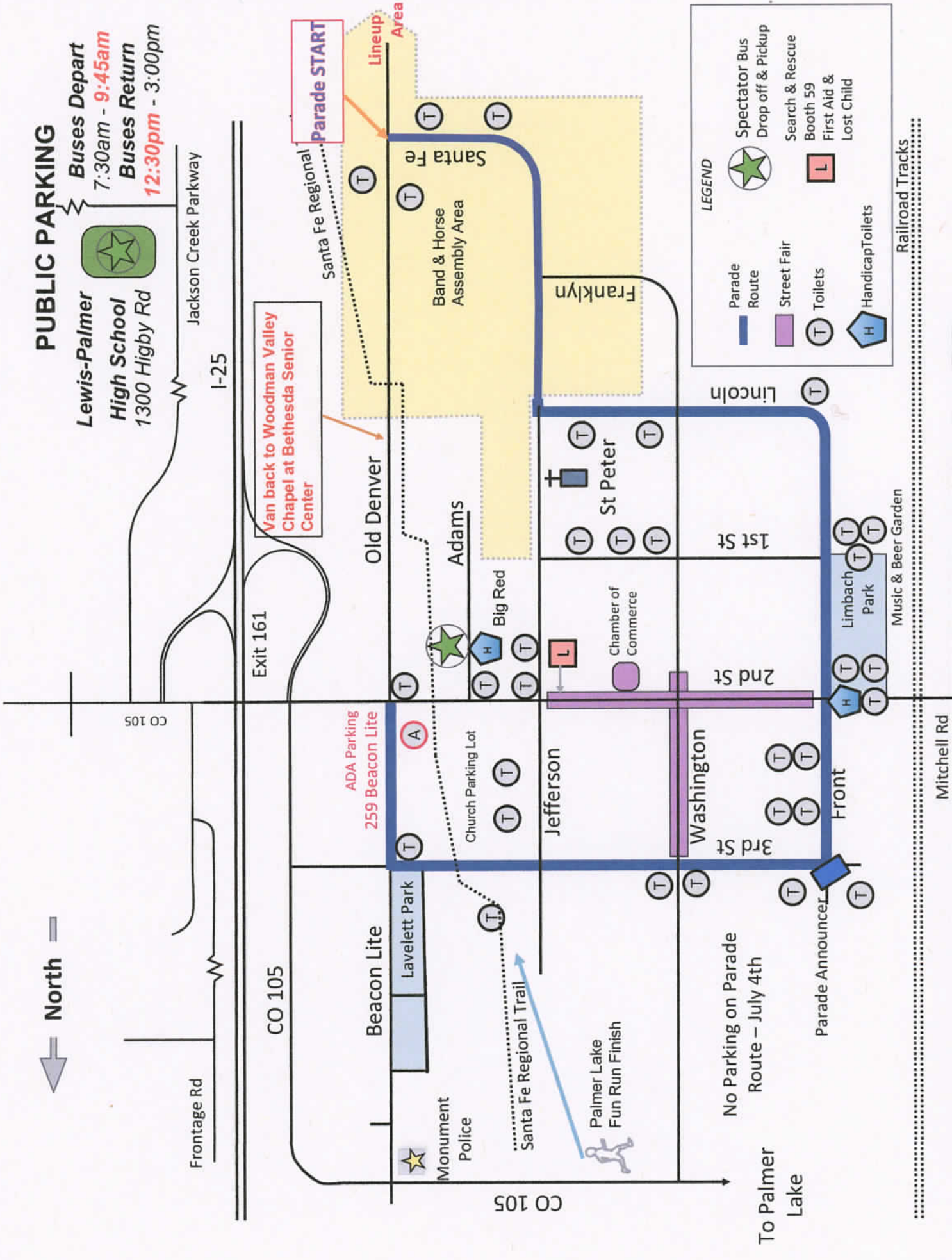
Music & Beer Garden

Mitchell Rd

Railroad Tracks

LEGEND

- Parade Route (Blue line)
- Street Fair (Purple rectangle)
- Toilets (T in circle)
- Handicap Toilets (H in pentagon)
- Spectator Bus Drop off & Pickup (Green star)
- Search & Rescue Booth 59 (Red L in square)
- First Aid & Lost Child (Red L in square)



BUILDING, STRUCTURES & POWER SOURCES – Form 8

Event Name: Monument Hill Kiwanis Club 2026 4th of July Parade

Event Date: July 4, 2026 Location: Downtown Monument

Additional fees may be applicable based on review by the Monument Fire Protection District and will be invoiced directly by the district.

Building permits and/or inspections also may be required whenever the Monument Fire Protection District deems it necessary, due to unique conditions, shoddy construction, substandard assembly or set-up, unqualified assemblers, lack of maintenance, or dilapidation of equipment, materials or systems in accordance with the Regional building code.

Tents and other equipment may not be staked into the ground to prevent damage to sprinkler lines. Any damage is the responsibility of the permit holder.

Fire extinguishers are required for each tent.

Will your event include any site-built structure/tent/canopies greater than 400 square feet? Yes No

What size is the tent(s) you plan to use? _____

Will your event include any site-built structure/tent/canopies open to the public? Yes No

Will your event include any stages, platforms and/or bleachers? Yes No

Name of Vendor: Monumnet Hill Kiwanis Club

Contact Name: Frank DeLalla Phone: [REDACTED]

Will your event include any electrical work utilizing site-construction equipment or wiring? Yes No

Will your event include any electrical equipment or work utilizing in excess of 120 volts? Yes No

Will your event include any amusement equipment, ie. carnival, bounce houses, climbing wall? Yes No

SIGNATURE

I, the undersigned, hereby attest that I have notified the Town of Monument of any conditions that may cause need for a Building Inspection by checking off all of the conditions above that apply to the event I am organizing.

Applicant Signature:  Date: January 29, 2026

ENTERTAINMENT & VENDORS – Form 9A

Event Name: Monument Hill Kiwanis Club 2026 4th of July Parade

Event Date: July 4, 2026 Location: Downtown Monument

ENTERTAINMENT

The Town of Monument's noise ordinance applies to all events utilizing amplified sound. During the event, Town law enforcement officers must be allowed access for purposes of monitoring sound levels. The Special Event Application form shall reflect whether amplified sound will be used during the event. The approval of a Special Event Application is not an authorization to violate the Town's noise ordinance. Members of the police department are empowered to make a prima facie determination as to whether a noise is unreasonable. If a complaint occurs, authorities will contact the special event organizer. Event participants are cautioned to use amplified sound responsibly.

Will amplified sound be used at the event? Yes No

If yes, start time: 10:00 am Finish time: 12:00 noon

Are there any musical entertainment features to the event? Yes No

Number of performers/bands: 0

Describe your plan for maintaining acceptable decibel/sound levels: _____

Amplified sound will be localized to the vicinity of the judging stage (corner of Front Street and 3rd Street).

VENDORS

The Town of Monument and the State of Colorado mandate full tax license compliance prior to final approval of this event. If your event includes food or retail sales of any kind, you must collect a copy of all vendors' current sales tax license and provide them with the information to remit all sales tax. The Town of Monument's Sales Tax rate is 3.50%. Sales tax is remitted directly to the Town of Monument, a Home Rule jurisdiction. El Paso County sales tax rate is 1.23%, and the State of Colorado sales tax rate is 2.9%. Both county and state sales tax must be remitted directly to the state.

Will there be business/retail vendors at the event? Yes No

Will there be food or beverage vendors at the event? Yes No

The event holder is responsible to make sure all food vendors are properly licensed through the El Paso County Health Department. For information on obtaining a license, call 719-578-3199 or visit www.elpasocountyhealth.org.

SIGNATURE

I, the undersigned, hereby attest that I have notified the Town of Monument of my entertainment and vendor plans for the event I am organizing.

Applicant Signature:  Date: January 29, 2026

EVENT SECURITY – Form 10

Event Name: Monument Hill Kiwanis Club 2026 4th of July Parade

Event Date: July 4, 2026 Location: Town of Monument

The Town of Monument Police Department reserves the right to specify need for and number of Monument Police Officers required at an event based on the chart below.

The safety of the community and attendees are always of primary concern. Additional factors such as: time of day, anticipated crowd size, availability of alcohol, traffic impacts, and others, may require additional officers beyond the suggested minimum.

The Monument Police Department requires the use of Monument Police Officers for special events taking place in the Town of Monument.

Estimated Participants	# of Officers Required Event w/Liquor License	# Officers Required Event without Alcohol
Up to 500	2	0
501 to 999	Determined by Chief of Police	1
1000 or more	Determined by Town Council	

If you intend to sell or provide alcoholic beverages to attendees, you must obtain a Special Event Liquor License through the Town Clerk.

To make a decision about event security, it is important that the Monument Police Department have the following information.

- A map showing in detail the boundaries of the area you are requesting be part of the permitted area for alcohol possession and service. This can be a copy of the map or site plan being submitted for the Special Event Liquor License, but it must be submitted as an additional attachment.
- Provide a detailed description of how you as the event holder plan to delineate the boundary of the permitted area so that those in possession of alcohol are aware of the boundaries.
- Provide a detailed description of how you as the event holder will prevent those in possession of alcohol from leaving the permitted area while in possession of alcohol, as well as how you will otherwise prevent the transfer of alcohol to areas outside the boundary.

SIGNATURE

I, the undersigned, understand and agree to the conditions as set forth by the police department any other conditions deemed appropriate.

Applicant Signature:  Date: January 29, 2026



PUBLIC PARKING

Lewis-Palmer High School
1300 Higby Rd



Buses Depart
7:30am - 9:45am
Buses Return
12:30pm - 3:00pm

Jackson Creek Parkway

I-25

Exit 161

Van back to Woodman Valley Chapel at Bethesda Senior Center

Parade START

ADA Parking
259 Beacon Lite

Beacon Lite
Lavelett Park

Monument Police

CO 105

Santa Fe Regional Trail

Palmer Lake Fun Run Finish

Church Parking Lot

Old Denver

Adams

Big Red

Jefferson

Chamber of Commerce

St Peter

Franklyn

Band & Horse Assembly Area

Santa Fe

Lineup Area

No Parking on Parade Route - July 4th

To Palmer Lake

Parade Announcement

Front

3rd St

2nd St

1st St

Lincoln

Washington

Limbach Park

Music & Beer Garden

Mitchell Rd

Railroad Tracks

LEGEND

- Parade Route (Blue line)
- Street Fair (Purple rectangle)
- Toilets (T in circle)
- Handicap Toilets (H in pentagon)
- Spectator Bus Drop off & Pickup (Green star in circle)
- Search & Rescue Booth 59 (Red L in square)
- First Aid & Lost Child (Blue H in pentagon)

CO 105

Frontage Rd

HAZARDOUS CONDITIONS APPLICATION – Form 11

Event Name: Monument Hill Kiwanis Club 2026 4th of July Parade

Event Date: July 4, 2026 Location: Town of Monument

The [Monument Fire Protection District](#) is part of the Town of Monument special event review process. All special events applications are reviewed for overall public safety in accordance with the requirements of the 2012 International Fire Code adopted as amended, as the fire code of the Town of Monument. Additional fees may be determined and invoiced by the Tri-Lakes Monument Fire Protection District.

APPLICANT

Organization or Applicant Name: Monument Hill Kiwanis Club

Event Planner/Contact Person: Frank DeLalla

Address: [REDACTED] City: Colorado Springs State: CO Zip: 80921

Phone: [REDACTED] Email Address: [REDACTED]

Do you plan to use, install, operate or conduct any of the following at your event?

Erect and use a temporary tent greater than 400 square feet Yes No


Open burning (bonfires, cooking, etc.) Yes No

Using open flame torches or candles Yes No

Attach an event site plan with dimensions to this application. The Tri-Lakes Monument Fire Protection District will contact you to go over additional paperwork that may be required.

SIGNATURE

I, the undersigned, have provided the correct information above for the event in which I am planning.

Applicant Signature:  Date: January 29, 2026

Tri-Lakes Monument Fire Protection District provisions:

TOWN OF MONUMENT

RESOLUTION NO. 15-2026

**A RESOLUTION AUTHORIZING THE ISSUANCE OF A
SPECIAL EVENT PERMIT FOR CONDUCTING THE
ANNUAL MONUMENT HILL KIWANIS 4TH OF JULY PARADE**

WHEREAS, the Town has received an application from the Monument Hill Kiwanis to hold the annual 4th of July Parade on Saturday, July 4, 2026; and

WHEREAS, the application has been reviewed and approved by the appropriate departments; and

WHEREAS, Monument Municipal Code 5.52.040 requires the Town Council to approve special event permits for events with estimated attendance of over 1,000 people; and

WHEREAS, the sponsors of the event have provided the certificate of insurance, and all departments have reviewed and provided approval to conduct the proposed Special Event; and

WHEREAS, hosting the annual Monument Hill Kiwanis 4th of July Parade will further the Council's strategic priorities of ensuring long-term financial health and strengthening community engagement.

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

Section 1. The Town Council hereby authorizes the issuance of a Special Event Permit to the Monument Hill Kiwanis Club for the aforementioned event.

PASSED AND RESOLVED by the Town Council of the Town of Monument, El Paso County, Colorado, this 16th day of March, 2026 by a vote of for and against.

TOWN OF MONUMENT

Mitch LaKind, Mayor

ATTEST:

Tina Erickson, Town Clerk



TOWN OF MONUMENT COUNCIL MEMORANDUM

TO: The Honorable Mayor and Town Councilmembers

FROM: Portia Hermann, Communications and Events Specialist

DATE: March 16th, 2026

SUBJECT: 4th of July Street Fair and Beer Garden

STRATEGIC PRIORITIES (2026–2028)

- Ensure Long-Term Financial Health and Sustainability** - Supports long-range financial health, forecasting and sustainability to ensure efficient and resilient municipal services.
- Strengthen Community Engagement** - Enhances community engagement, and strengthens communication and collaboration with residents, partners, and neighboring communities.
- Enable Responsible Community Development** - Establishes clear, accountable plans, processes, and procedures for responsible and enduring community development and growth.
- Reinforce a Positive Work Culture** - Promotes a positive and professional work culture that attracts and retains top talent and enhances high-quality service delivery to the community.

BACKGROUND

The Town has received an application from the Tri-Lakes Chamber of Commerce to hold the annual 4th of July Street Fair and Beer Garden on Saturday, July 4, 2026. The application has been reviewed and approved by the appropriate departments. Monument Municipal Code 5.52.040 requires the Town Council to approve special event permits for events with estimated attendance of over 1,000 people.

DISCUSSION / ANALYSIS

The Tri-Lakes Chamber of Commerce has historically sponsored the Annual 4th of July Street Fair and Beer Garden. They have provided the certificate of insurance and all departments have reviewed and provided approval to conduct the proposed Special Event. This year's event will be held in Downtown Monument on Saturday, July 4, 2026 from 8:00 am – 5:00 pm. The event is anticipated to have more than 1000 participants and therefore, requires approval by Council.

FINANCIAL IMPACT

Unqualified benefits to Town businesses and Town revenue.

RECOMMENDED ACTION

I move to approve Resolution No. 16-2026, authorizing the issuance of a special event permit for conducting the 4th of July Street Fair and Beer Garden on Saturday, July 4, 2026.

ATTACHMENTS

1. Special Event Permit Application
2. Resolution No. 16-2026

SPECIAL EVENT APPLICATION ROUTING SLIP

Event #: 2026-07

Please sign off on the attached Special Event Application to signify approval and/or make comments below.

Date Routing Started: 2/23/2026

Applicant's Name: 4th of July Beer Garden & Street Fair
Tri-Lakes Chamber of Commerce
Abigail Leger

TOWN CLERK

Tina Erickson
Tina Erickson (Feb 27, 2026 09:16:34 MST)

02/27/26

Signature

Date Approved

SELP needs to be applied for at least 45 days prior to the event

Comments

PLANNING DEPARTMENT

Dan Ungerleider
Dan Ungerleider (Feb 23, 2026 22:25:22 CST)

02/23/26

Signature

Date Approved

Comments

POLICE DEPARTMENT

[Signature]

02/26/26

Signature

Date Approved

Overtime rate for Officers 2026: \$69.94/ hour x 10 hours = \$699.40

Comments

FIRE DEPARTMENT

J. Bradley
J. Bradley (Feb 26, 2026 17:19:02 MST)

02/26/26

Signature

Date Approved

Comments

PARKS DEPARTMENT

Andrew Archuleta
Andrew Archuleta (Feb 27, 2026 09:11:42 MST)

02/27/26

Signature

Date Approved

Comments



Town of Monument SPECIAL EVENT APPLICATION PACKET

Dear Event Planner,

We are excited you have chosen Monument for your special event! The success of your event relies upon your event planner providing us with complete and detailed information. Our role is not to plan your event, but to help you with the process, approve required permits and applications, and help mitigate potential problems. A special event permit is required if your event meets any of the criteria below:

1. The event requires a street closure, or significantly interrupts the flow of traffic in public rights-of-way, or access to private and/or commercial properties.
2. The event is estimated to have 100 or more people in attendance and is to take place in a public park.
3. The event is an outdoor event that includes the sale or consumption of alcoholic beverages to or by the public. (A special event liquor permit is also required for this purpose, applied with and issued by the Town Clerk)
4. Reserving the bandshell located at Limbach Park.

This application contains a series of forms. You will only need to submit the forms applicable to your event. We encourage you to utilize the planning checklist (pages 2-4) to help you determine which forms you need to submit with your application. Prior to planning your event, we ask that you consider the following: emergency responders' access to roads, neighbors and businesses affected by ongoing noise and street closure impacts. The Town may suggest alternatives to decrease any negative impacts. Feel free to email the Communication and Events Specialist at events@tomgov.org to discuss your plans prior to applying.

Email your completed application packet to events@tomgov.org for review. Staff will then conduct a review and will contact you when your application has been processed, if additional information or plan modification is required, and what your fees will amount to.

The Town of Monument requires your completed event application to be submitted to the Town within the time frames outlined below:

1. 30 days prior to the event for events with estimated attendance of under 1,000 people.
2. 45 days prior to the event for events with an associated request for a Special Event Liquor Permit.
3. 120 days prior to the event for events with estimated attendance of over 1,000 people.

Events with estimated attendance of over 1,000 people will require approval from the Town Council.

Once your application has been approved and your fees have been paid, you will receive a Special Event Permit from the Town. You will need to have the permit with you at the event as proof of authorization.

We look forward to working with you to obtain approval for your event and thank you for choosing the Town of Monument as your preferred location.

Regards,

Portia Hermann
Executive Assistant to the Town Manager/Communication and Events Specialist
Town of Monument
645 Beacon Lite Rd., Monument, CO 80132

719-481-2954 | events@tomgov.org

CHECKLIST AND FEE BREAKDOWN

This checklist, including pages 3 and 4, will assist you in financially planning your special event, and knowing which forms to submit. Not all fees listed may be applicable to your event. The Events Specialist can assist you in determining which fees will be applicable to your event.

		Total
Application Fee:		
<input type="checkbox"/> Special Event Permit Fee:	\$100 (Fee waived for Non-Profits)	Non-Profit - \$0
Park Usage Rental Fees:		
<input checked="" type="checkbox"/> Maintenance Fee: General maintenance of park/facility prior to event.	\$35	\$35
<input checked="" type="checkbox"/> Deposit (Refundable):	\$100	\$100
<input checked="" type="checkbox"/> Public Works Department Service Fee: Town will provide and set up temporary fencing, if applicable. If opting out, please see #4 on Form 2.	\$500	\$500
Reservation Fees:		
<input type="checkbox"/> Dirty Woman Creek Park Pavilion & Grills (North end)	\$50 (total, first 4 hours) \$15 per each additional hour. Cost is determined from start of set up, to completion of tear down.	
<input type="checkbox"/> Dirty Woman Creek Park Sports Field (South end)		
<input type="checkbox"/> Limbach Park Bandshell		
<input type="checkbox"/> Santa Fe Trail Baseball Fields (North Field)		
<input type="checkbox"/> Santa Fe Trail Baseball Fields (South Field)		
Other Fees:		
<input checked="" type="checkbox"/> Special Event Liquor Permit: If you are a non-profit organization and would like to sell or serve alcoholic beverages to attendees of your event, you must apply for a Special Event Liquor Permit with the Town Clerk.	\$100 application fee plus \$25/day Liquor permit or \$10/day 3.2% permit	[Separate Application & Check]
<input checked="" type="checkbox"/> Monument Police Department Patrol: Event holders may be required to hire police officers to provide security at special events. Total charges will be determined by the Monument Police Department, to be paid by separate check to the Town of Monument.	\$70 per officer, per hour. Minimum of 2 hours. (Use shaded chart below to determine requirement.)	\$700 \$140x5 (12pm-5pm)
Estimated Participants	# of Officers Required Event w/Liquor License	# Officers required Event without Alcohol
Up to 500	2	0
501 to 999	Determined by Chief of Police	1
1000 or more	Determined by Town Council	
Total Fees Due: \$1,335		

Special Event Application (FORM 1): All event holders are required to submit the Special Event Application.

Site Plan: Please attach a detailed drawing that shows the layout of the event as close to scale as possible. The site plan should include:

- **Overall Plan:** An outline of the entire event venue including the names of all streets or areas that are part of the event.
- **Event Components:** Identification of all event components including stages, platforms, bleachers, canopies, tents, beer gardens, cooking areas, trash containers and dumpsters, temporary structures, and entrance and exit locations.
- **Electrical:** Include generator locations and/or electricity sources.
- **Restrooms/Portable Toilets:** Event holders must provide bathroom access. You must specify where these restroom facilities will be located on your event site plan and whether they are gender specific and handicap accessible. If you are hosting an event at a Town park that has restrooms, please also mark those on your site plan.
- **Fencing/Barricades:** The location of fencing, barriers and/or barricades. Indicate any removable fencing for emergency access. Remember to provide for a minimum of 20-foot emergency access lanes throughout the event venue.
- **First Aid/Medical:** The location of first aid facilities, ambulances and lost child station, if applicable.
- **Vendors:** Detailed location of all vendor booths, including food vendors.
- **Parking:** Attach a parking plan that establishes where attendees will be directed to park their vehicles.
- **Handicapped Accessibility:** Event holders must establish ADA compliant ways for handicapped persons to park, access the event and ADA accessible restrooms, and note them on the event site plan.

Special Event Rules & Regulations (FORM 2): All event holders are required to read and sign a Rules & Regulations form.

Use of Town or Recreational Facility/Sports Field Release and Indemnification Agreement (FORM 3A): All event holders using a town park or facility must read and sign the agreement. **Participant/Parent of Participant Signature Form (Form 3B)** may also be required.

Certificate of Insurance: All event holders must provide the Town of Monument with a certificate of general liability insurance policy covering claims that may arise during to the event, including participant and spectator liability. The policy must have a minimum limit of \$1,000,000 per occurrence and must name the Town of Monument as additionally insured. Because this often is a lengthy process, the Town will accept your application and begin the review process pending receipt of proof of insurance no later than 30 days prior to the event. The responsible organization/individual shall indemnify and hold harmless the Town, its officers, officials, employees and insurance pool from and against any and all damage and loss to person or property and shall defend the Town from any and all claims, demands, suits, actions or proceedings of any kind, including costs of actions and reasonable expert fees and attorney fees incurred by the Town in any way resulting from or arising out of the special event.

A copy of the policy or appropriate insurance certificate shall be provided to the Town prior to issuance of a special event permit to the applicant. Send certificates of insurance and copies of policy endorsement to certificate holder:

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

Email: events@tomgov.org

Sanitation and Waste Management Plan (FORM 4): The Town of Monument recommends two (2) chemical or portable toilets for every 250 people. This figure is based upon the maximum number of attendees at your event during peak time. We are requiring a minimum of 10 percent (10%) of portable toilets, but never less than one (1) unit must be accessible. Further, the ADA Standards require when clusters of portable units are provided at various locations around the event site, at least one unit in each cluster must be accessible. Accessible units should be located on an accessible route and equipped with all the accessible elements such as maneuvering space, grab bars, toilets paper dispensers within reach, etc. In addition, when all units are not accessible, the International Symbol of Accessibility must be posted on the units that are. Trash containers are to be emptied at the conclusion of your event, by either your event staff/ volunteers or by a trash company of your hiring. Failure to empty trash at the conclusion of your event could result in the loss of deposit.

Emergency Services Plan (FORM 5): All applicants must provide a plan highlighting emergency access routes and a plan to mitigate fire, weather and medical emergencies. The Tri-Lakes Monument Fire Protection District is available for hire for all special events within the Town of Monument. For more information, call 719-484-0911.

Parade or Race (FORM 6): All events that include a parade or race (foot, bike or any other) must submit a Parade or Race form.

Temporary Street Closure (FORM 7A & 7B): For events requiring street closures, street activities, or requiring

public parking to be blocked off, applicants must submit a Temporary Street Closure Request form (FORM 7A) and a completed Special Event Street Closure Petition (FORM 7B).

Buildings, Temporary Structures and Power Sources (FORM 8): Any event involving the placement of any temporary structure (including stages or bleachers) or installing any power-generation source (generator) may require a permit from the Tri-Lakes Monument Fire Protection District.

Entertainment and Vendors (FORM 9A): All events that include vendors, entertainment or amplified sound must submit an Entertainment and Vendors form.

Food Vendors: The event holder is responsible to make sure all food vendors are properly licensed through El Paso County Public Health. For information on obtaining a license, call 719-578-3199 or visit www.elpasohountyhealth.org

Vendor List (FORM 9B): The event holder is required to list all vendors participating in the special event.

Sales Tax License – Retail Vendor Sales: The Town of Monument and the State of Colorado mandate full tax license compliance prior to approval of this event. If your event includes food or retail sales of any kind, you must collect a copy of all vendors' current sales tax licenses and provide them with the application to remit all sales tax. The Town of Monument's Sales Tax rate is 3.50%. Sales tax is remitted directly to the Town of Monument, a Home Rule jurisdiction. El Paso County sales tax rate is 1.23%, and the State of Colorado sales tax rate is 2.9%. Both county and state sales tax must be remitted directly to the state.

Notify the State of Event: If your event includes food and/or retail sales, you will need to email the state at: dor_specialevents@state.co.us to include the date, time, and location of your event so it can be listed on Revenue Online in order for your vendors to file with the state.

Amplified Sound - Noise Ordinance (Monument Municipal Code 8.20): The Town of Monument's noise ordinance applies to all events utilizing amplified sound. During the event, Town law enforcement officers must be allowed access for purposes of monitoring sound levels. The Special Event Application shall reflect whether amplified sound will be used during the event. The approval of a Special Event Application is not an authorization to violate the Town's noise ordinance. Members of the police department are empowered to make a prima facie determination as to whether a noise is unreasonable. If a complaint occurs, authorities will contact the special event organizer. Event holders are cautioned to use amplified sound responsibly.

Security (FORM 10): The police department reserves the right to specify the need for and number of security personnel required at an event. The police department will review all special events applications for required security arrangements. The safety of the community and attendees are always of primary concern. Additional fees may apply and will be invoiced by the police department.

Hazardous Conditions (FORM 11): Special events that include firearms or weapons, open burning or other hazardous conditions must include a Hazardous Conditions form with the application

Special Event Liquor Permit: If you are a qualifying organization and would like to sell or serve alcoholic beverages to attendees of your event, you must apply for a Special Event Liquor Permit with the Town Clerk.

Property Use Permission/Agreement: If your event includes the use of facilities or property that belongs to another individual, entity, municipality, county or business, please attach a copy of your permission letter or agreement for said use.

Americans with Disabilities Act (ADA) Requirements: Applicants are expected to make every effort to follow ADA guidelines to accommodate and maintain access for people with disabilities. This may include providing a clear path of travel to and on sidewalks, curb-cuts and restrooms; as well as maintaining already designated parking and accessibility to portable restrooms. The following resources are available for more information regarding ADA requirements:

Rocky Mountain ADA Center - ADAInformation.org - 800.949.4232

Please return all applications and supporting documents to
Portia Hermann, Executive Assistant to the Town Manager/Communication and Events Specialist at:
645 Beacon Lite Rd., Monument, CO 80132 | 719-481-2954 | events@tomgov.org

SPECIAL EVENT APPLICATION (required)– Form 1

Event Name: 4th of July Street Fair and Beer Garden

Event Date: July 4, 2026 Start time: 8am End Time: 5pm

Event Description:

Beer Garden in Limbach Park (see Attached Map)

Street Fair on 2nd St. Between Front and Jefferson and on Washington between
2nd + 3rd St.

APPLICANT:

Organization or Applicant Name: Tri-Lakes Chamber of Commerce

Event Planner/Contact Person: Abigail Leger

Address: 166 Second St. City: Monument State: CO Zip: 80132

Phone: 719-481-3282 Cell: [REDACTED] Fax: _____

Email Address: abigail@trilakeschamber.com

Organization and/or Event Website: https://www.trilakeschamber.com/4th-of-july-street-fair-and-beer-garden

Contact On-Call During Event: Abigail Leger Cell: [REDACTED]

The applicant requests to reserve exclusive use of the following Town of Monument park or facility if available, fees apply:

- Dirty Woman Creek Park Pavilion & Grills (North end)
- Dirty Woman Creek Park Sports Field (South end)
- Limbach Park Bandshell
- Santa Fe Trail Baseball Fields (North Field)
- Santa Fe Trail Baseball Fields (South Field)

With your park rental, the following items are included (any additional items will be at the expense of the event holder):

- Use of existing park trash cans. Cans will be emptied by Town staff on last business day, preceding event. Event holder must supply their own staff to empty trash cans at conclusion of event and/or dumpsters rented by the event holder.
- Use of Town picnic tables
- Use of Town restrooms. Town restrooms will be maintained and cleaned by Town staff on last business day, preceding event. Additional portable restroom units, if required/needed, are the event holder's responsibility and will not be maintained by Town staff.
- Use of electrical outlets, if applicable. Any needed power boxes or cords must be provided by/rented through a rental company and will be the expense of the event holder.

Event holder requests the Town of Monument to turn off the park sprinkler system for this event.

SPECIAL EVENT APPLICATION (required)– Form 1 (cont.)

EVENT DETAILS:

What time will set up begin? 5AM What time will tear down be completed? 7PM

Number of attendees expected: 10,000+

Parking spaces recommended (approximate attendance divided by 3): ***N/A See Below

COMMUNITY/NEIGHBORHOOD NOTICE:

Please outline your plan for notifying the community, neighborhoods and media for your event.

We will post details of this event on Facebook, the Chamber website,
Kiwanis website, Town of Monument website, NextDoor, and on
Instagram. Local shops will be notified in person.

***Shuttle Service Available from the High School

SIGNATURE

By signing this application, I agree that I have read and under the conditions of the Special Events Application from the Town of Monument. I understand that I must respond in a timely manner to requests for additional information and be available to meet with staff regarding any questions surrounding my special event application. Failure to meet any requirements set forth by Town staff may result in the delay of approval or the denial of this application. I acknowledge that the information contained in this application is true, correct and complete to the best of my knowledge.

Applicant Signature:  Date: 2/20/2026

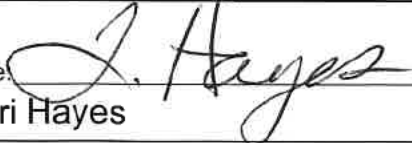
SPECIAL EVENT RULES & REGULATIONS (required)– Form 2

Event Name: 4th of July Street Fair & Beer Garden

The responsible organization, as a condition of being granted a special event permit within the Town of Monument, agrees to abide by the following rules, regulations and conditions established by the Town as follows:

1. The services and activities provided by the event are those of an independent entity and not as an employee, officer, official or agent of the Town.
2. The responsible organization shall indemnify and hold harmless the Town, its officers, officials, employees and self-insurance pool from and against any and all damage and loss to person or property and shall defend the Town from any and all claims, demands, suits, actions or proceedings of any kind, including costs of actions and reasonable expert fees and attorney fees incurred by the Town in any way resulting from or arising out of the community event. This provision shall not and is not intended, in any way or manner, to waive or cause the waiver of the defenses or limitations on damages provided by the Colorado Government Immunity Act, Section 24-10-101 et seq., Colorado Revised Statutes, the Colorado Constitution, or the common law or laws of the United States or Colorado.
3. The responsible organization shall procure and maintain, at its own costs, liability insurance in the amount of not less than \$1,000,000 against all claims, demands and other obligations incurred by the event planner in its performance of the community event. Such insurance shall be in addition to any other insurance requirements imposed by law. The Town of Monument must be listed as additionally insured on the policy. The responsible organization shall not be relieved of any liability, claims, demands or other obligations assumed pursuant to Section 2 of these "Rules" by reason of its failure to procure or maintain insurance in insufficient amounts, durations or types. A copy of the policy shall be provided to the Town and approved by the Town as a condition of the event being approved.
4. The responsible organization, if holding the special event on Town property shall, upon conclusion of the event, return the site to its pre-event condition immediately. This includes fencing. If you opted out of the Public Works Department Service fee, you are required to take the fencing down at the conclusion of your event and return it to the location and in the condition it was delivered.
5. The Town of Monument cannot guarantee availability of public property for special events. If two or more special events plan to use the same Town property on the same date, Town staff will strive to accommodate each event by working with the organizers to find alternative locations or dates.
6. The Town of Monument cannot issue permits or approve activities on behalf of other jurisdictions, such as the El Paso County Health Department, Palmer Lake, El Paso County, or Monument Tri-Lakes Fire Protection District. It is the responsibility of the organization or event planner to secure the necessary approval from other entities and to demonstrate said permission to the Town of Monument.
7. Any tents, pop-ups, "ez ups", or shelter of any type, must NOT be staked into the ground. Weights, sandbags, water weights are acceptable to use. Stakes can cause damage to underground irrigation lines.

Failure to adhere to these rules and regulations will result in loss of deposit.

Applicant's Signature: 

Date: 7/20/2020

Printed Name: Terri Hayes

USE OF TOWN OF RECREATIONAL FACILITY / SPORTS FIELD RELEASE/INDEMNIFICATION – Form 3A

I. RELEASE OF LIABILITY AND INDEMNIFICATION AGREEMENT: PARTICIPANT MUST READ CAREFULLY BEFORE SIGNING

In consideration for being permitted to utilize the Town of Monument 's recreation facility/sports field, I hereby acknowledge, represent, and agree as follows:

A. I understand that the above-described activities are or may be dangerous and do or may involve risks of injury, loss, or damage. I further acknowledge that such risks may include but not be limited to bodily injury, personal injury, sickness, disease, death, and property loss or damage. I acknowledge that such risks may arise from a variety of foreseeable and unforeseeable circumstances connected with the use of the recreation facility/sports field.

B. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, I hereby expressly assume all such risks of injury, loss, or damage to me or to any third party arising out of or in any way related to the above-described activities, whether or not caused by the act, omission, negligence, or other fault of the Town of Monument, its officers, its employees, or by any other cause.

C. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, I further hereby waive, and exempt, release, and discharge the Town of Monument, its officers, and its employees from, any and all claims, demands, and actions for such injury, loss, or damage, arising out of or in any way related to the above-described activities, whether or not caused by the act, omission, negligence, or other fault of the Town of Monument, its officers, its employees, or by any other cause.

D. I further agree to defend, indemnify and hold harmless the Town of Monument, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, including any third party claim asserted against the Town of Monument, its officers, employees, insurers, or self-insurance pool, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any way related to the above-described activities, whether or not caused by my act, omission, negligence, or other fault, or by the act, omission, negligence, or other fault of the Town of Monument, its officers, its employees, or by any other cause.

E. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, I hereby acknowledge and agree that said **AGREEMENT** extends to all acts, omissions, negligence, or other fault of the Town of Monument, its officers, and/or its employees, and that said **AGREEMENT** is intended to be as broad and inclusive as is permitted by the laws of the State of Colorado. If any portion hereof is held invalid, it is further agreed that the balance shall, notwithstanding, continue in full legal force and effect.

F. I understand and acknowledge that the Town of Monument, its officers, and its employees are relying on, and do not waive or intend to waive by any provision of this **RELEASE AND INDEMNIFICATION AGREEMENT**, the monetary limitations (presently \$150,000 per person and \$600,000 per occurrence) or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. §24-10-101 et seq., as amended, or otherwise available to the Town of Monument, its officers, or its employees.

G. I understand and agree that this **RELEASE AND INDEMNIFICATION AGREEMENT** shall be governed by the laws of the State of Colorado, and that jurisdiction and venue for any suit or cause of action under this Agreement shall lie in the courts of El Paso County, Colorado.

II. PARTICIPANT SIGNATURE AND DATE: Participant's Printed Name: Terri Hayes

Participant's Signature: _____ Date of Signature: _____

III. IF PARTICIPANT IS UNDER 18 YEARS OLD, PARENT SIGNATURE AND DATE:

By initialing above and signing below, I acknowledge that I am the parent of the above-named Participant as the term "parent" is defined in C.R.S. Section 13-22-107(2)(b), and I hereby waive and release any prospective claim of the Participant against the Town of Monument, its officers, and its employees for negligence, to the extent provided in C.R.S. Section 13-22-107(3), in connection with the above-described activities.

Parent/Guardian's Signature: _____ Date of Signature: _____

H. This **RELEASE AND INDEMNIFICATION AGREEMENT** shall be effective as of the date set forth below and shall be binding upon me, my successors, representatives, heirs, executors, assigns, and transferees.

SANITATION & WASTE MANAGEMENT PLAN (required) – Form 4

Event Name: 4th of July Street Fair & Beer Garden
Event Date: July 4, 2026 Location: 2nd/Washington St. + Limbach Park

All special event applications must include a sanitation and waste management plan that identifies contractors utilized for portable restrooms and trash removal as a condition of the approval of the event.

RESTROOMS

The Town of Monument recommends two (2) chemical or portable toilets for every 250 people, based upon the maximum number of attendees at your event during peak time. We are requiring a minimum of 10 percent (10%) of portable toilets, but but never less than one (1) unit must be accessible. ADA Standards require when clusters of portable units are provided at various locations around the event site, at least one unit in each cluster must be accessible. Accessible units should be located on an accessible route and equipped with all the accessible elements such as maneuvering space, grab bars, toilets paper dispensers within reach, etc. In addition, when all units are not accessible, the International Symbol of Accessibility must be posted on the units that are.

How many portable restrooms will be at the event? 8 When will they be delivered? July 3, 2026

When will they be picked up? July 5, 2026

Name of Vendor: Kiwanis will arrange

Contact: Frank DeLalla Phone: _____

Address: [REDACTED] City: _____ State: _____ Zip: _____

TRASH

How do you plan to manage trash for this event? Event staff and/or volunteers Contract with a company

Event Staff and/or Volunteers:

How many trash containers will be used? 20+ How often do you plan on emptying them? As Needed

Where will trash be deposited when containers are emptied (during and at the conclusion of the event)

dumpster behind the Chamber

Contract with Company:


Name of Company: Infinite Disposal Apex Waste Solutions

Contact name: Alec Carper Phone: [REDACTED]

Address: [REDACTED] City: Colorado Springs State: CO Zip: 80929

SIGNATURE

I, the undersigned, hereby attest that I have notified the Town of Monument of my sanitation and waste management plan for the event I am organizing.

Applicant Signature:  Date: 7/20/2026

EMERGENCY SERVICES PLAN (required)- Form 5

Event Name: 4th of July Street Fair & Beer Garden

Event Date: July 4, 2026 Location: 2nd/Washington Strts + Limbach Park

All special events must provide a plan highlighting emergency access routes and a plan to mitigate fire, weather and medical emergencies. Emergency access routes must be noted on the site plan.

The Monument Fire Protection District may be available for hire for all special events within the Town of Monument. Additional fees will be determined and invoiced by the District and will be the responsibility of the event holder. For more information, call 719-484-0911.

Have you provided access for emergency responders in your site plan drawing? Yes No

Have you hired a professional emergency medical services provider to manage your event? Yes No

If yes, please provide company information.

Name of Company: Monument Fire Department + Search & Rescue

Address: _____ City: _____ State: _____ Zip: _____

Contact: Jamie Bumgarner Phone: 719-484-0911

Will there be any on-site first aid or ambulances? Yes No
If yes, please note location on your site plan.

Describe your plan for handling an emergency (attached additional pages if needed).

First aid kits and fire extinguishers on site. Access for emergency vehicles. Call 911 if necessary. Police officers on duty in the park 12-5pm.

Monument Fire has a key to use the Chamber building if needed for heat stroke or other issues.

Monument Fire has a vendor space located in the street fair.

****First Aid only will be available

SIGNATURE

I, the undersigned, hereby attest that I have notified the Town of Monument of my emergency services plan for the event I am organizing.

Applicant Signature:  Date: 7/20/2026

PARADE & RACE – Form 6

Event Name: _____

Event Date: _____ Location: _____

Parade and/or race route maps must be included with this application, including the start and ending locations. Hand drawn maps are not recommended but must be legible if used.

PARADE

Participants: Number and type of motor vehicles/floats: _____

Number and type of mounted animals: _____

Number of total entries: _____

- Vehicles towing trailers are not considered floats.
- No vehicles or floats can exceed a height of 12 feet or length of 45 feet.
- The Town of Monument encourages parade entries to be careful if they wish to throw candy or handouts from vehicles or floats. This creates dangerous situations for children running into the middle of the parade route with motorized vehicles. If entries want to distribute candy or other items to spectators, the Town encourages participants walk candy or handouts to children and spectators, or walkers can throw candy along the street edge.
- No shooting Silly String or water guns from vehicles or floats.
- Alcoholic beverages, drugs and tobacco are forbidden on any float, in any vehicle or by any participant. Participants consuming these prior to or during the parade will be removed from the lineup. All Town, county and Colorado state statues concerning the consumption of alcoholic beverages will be strictly enforced by the police before, during and after the parade.
- Drivers of any and all vehicles in the parade areas must possess a valid driver's license and possess all liability vehicle insurance.
- Exhibitions of speed or reckless driving (wheelies, peeling out, burnouts, etc.) are not permitted.

RACE

Participants: Number of pedestrian/foot racers: _____

Number of bicyclists: _____

Number of total participants: _____

Please describe the details of the race: _____

SIGNATURE

I, the undersigned, hereby attest that I have notified the Town of Monument of my parade and race plans for the event I am organizing, and will abide by the above mentioned rules/regulations.

Applicant Signature: _____ Date: _____

TEMPORARY STREET CLOSURE REQUEST – Form 7A

Applications for a Temporary Street Closure permit shall contain, at a minimum, the following information and shall provide such additional information and materials as may be requested or required.

STREET CLOSURE REQUEST

- Applicant(s) are responsible for contacting residents affected by the proposed Temporary Street Closure request. A petition (FORM 7B) shall be circulated to all residents and 80% of the affected residents, at a minimum, shall favor the Temporary Street Closure. The circulated petition shall be submitted with the Temporary Street Closure request.
- Applicant must include a map of affected area with application outlining the following:
 - Identify the entire venue including the names of all streets or areas to be closed.
 - The map must indicate the route and direction of proposed event.
 - Identify the location and type of all temporary traffic control devices and personnel.
 - Allow 20-foot emergency access lanes throughout the event venue.

Event Name: 4th of July Street Fair & Beer Garden
Event Date: July 4, 2026 Location: 2nd/Washington Strts + Limbach Park

Affected Intersection(s) of Street Closure Request (attach map of affected area): _____
Between front street and Jefferson + Washington between 2nd and 3rd Strts

Describe Request: Close streets at 5am until approximately 4pm on July 4, 2026
for the Street Fair (set up through breakdown).

Start Time: 5AM Finish Time (no later than 10 p.m.): 4pm.

Name of Barricade Company: Town of Monument

Barricade Company Contact: _____ Phone of Barricade Company: _____

APPLICANT

Organization or Applicant Name: Tri-Lakes Chamber of Commerce

Event Planner/Contact Person: Abigail Leger

Address: 166 Second St. City: Colorado Springs State: CO Zip: 80132

Phone: 719-481-3282 Cell: [REDACTED] Fax: _____

CONDITIONS

1. Applicant(s) are responsible for contacting residents affected by the Temporary Street Closure request. A Petition (FORM 7B) shall be circulated to all affective residents and/or businesses and 80%, at a minimum, shall favor the Temporary Street Closure. The circulated Petition submitted with the Temporary Street Closure request shall be attached to the permit.

2. A barricade with "Road Closed" signs shall be used to close the street. Applicant(s) are responsible for renting barricades. Barricades must be staffed at all times to answer questions and maintain barricades. Barricades must be movable to accommodate emergency access for police, fire and emergency medical services.
3. Advance notice signs shall be placed at the locations of the street closure shown on the site plan one week prior to the event. Signs should be "H" type frame and secured. Tripod frames not allowed. Placement, maintenance and pickup of the sign(s) are the responsibility of the event holder.
4. A drive aisle of 20 feet shall be kept clear and open at all times for the entire length of the Temporary Street Closure for use of emergency personnel. The Town of Monument requires all related event set-ups (tables, chairs, toys, etc.) be placed on one side of the street only to allow access for emergency vehicles in the event of an emergency.
5. Applicant(s) are responsible for cleanup after the Temporary Street Closure or related event.
6. Town of Monument's Noise Ordinance will be enforced. If during the Temporary Street Closure or related event, the Town of Monument determines there is a public safety hazard, law enforcement officers respond on more than one occasion to noise or any complaint related to this event, or if there is a violation of any permit condition, the Special Event permit will be revoked immediately. Additionally, a ticket may be issued for any nuisance complaints. Upon revocation of this permit, the applicant(s) will be responsible for closing down any related event immediately, ensuring participants vacate the premises, removing barricades and thoroughly removing any related event supplies and trash. The Town of Monument is not responsible for any expenses incurred by the permit holder(s).
7. Applicant(s) understands that this is a revocable permit, which can be canceled at any time if complaints are received or Town or State laws are violated.
8. If law enforcement officers respond to a complaint of noise, or any complaint related to this event, the applicant(s) must immediately identify themselves to the responding officers as the responsible parties. The applicant(s) must cooperate in helping resolve complaints.
9. All applicable Town of Monument Ordinances and regulations have been or will be complied with, in accordance with this Revocable Temporary Street Closure permit. The applicant(s) will take responsibility for any violation of Town of Monument laws that occur in relation to the Temporary Street Closure or related event.

SIGNATURE

As an applicant requesting a temporary street closure, I certify that I have read and understand all of the conditions and procedures that are required in order to obtain permission and I agree to comply with each of those conditions and procedures. I agree to indemnify and hold harmless the Town of Monument, and all Town of Monument officers, employees, agents and representatives, from any claims, liability, court awards, or damages, including the costs of defending such claims, and including costs and attorney's fees that are or may be awarded as a result of any loss, injury or damage sustained or claimed to have been sustained by anyone, including but not limited to any person, firm, partnership, or corporation that may arise from the occurrence of the temporary street closure or from any event related to the temporary street closure.

I understand that a Special Event permit does not authorize violation of Town or State laws, except to the limited extent that it allows a street to be temporarily closed in conformity with permit conditions. I also understand that a temporary street closure does not excuse failure to comply with orders of law enforcement personnel, firefighters or other emergency workers, and that it does not provide immunity from civil claims of third parties that are based upon damages occurring at, or in conjunction with, a temporary street closure or from related events.

I affirm, under penalty of per jury, that the statements and representations made in connection with this application are true to the best of my knowledge. I have read, understand and agree to the temporary street closure requirements.

Applicant Signature:  Date: 7/20/2026

We, the undersigned business and/or residents, have been notified of street closures associated with the event noted above on said date, and hereby agree or disagree to the closure(s). If you have concerns, contact the Town of Monument events Specialist which permits special events in the Town: events@tomgov.org

Business Name	Resident or Owner/Manager Signature	Resident or Owner/Manager Printed	Address	Initial to Agree	Initial to Disagree	Visit	Phone/email	Chamber Notes
American Family Insurance			236 Washington St. Unit 4e					
Bella Decor & Design			125 2nd Street					
Black Forest Foods			140 2nd Street					
Bliss Studio & Gallery		Jodie Bliss	243 Washington Street					
Bloom Healing Arts			267 Washington Street					
Cara Buckman								
Casa Bianca Boudoir Photo			267 Washington Street					
Cloud Wine Bar			213 Washington Street					
Counseling Office								
Covered Treasures Bookstore			105 2nd Street					
Financial Future Services			283 Washington Street					
Gowler Homes			253 Washington Street					
Heart Health Prevention & Wellness			267 Washington Street					
Jackalope Barber Shop & Salon			212 Washington Street					
Karl Minton								
Kinema Research & Software			236 Washington St.					
Lang Investment Services			236 N. Washington St.					
Learning Solutions								
LLC			236 Washington St.					
Lolley's Ice Cream			175 2nd Street					
Monument Dental			236 Washington St. #1W					
Monument Mercantile			183 Washington St.					
Monument Pharmacy			115C 2nd Street					
Monument Sanitation Dept			130 2nd Street					
Nurturing Nature Massage			236 Washington St. Suite 8E					

*TO BE completed
 closer to event*



BUILDING, STRUCTURES & POWER SOURCES – Form 8

Event Name: 4th of July Street Fair and Beer Garden

Event Date: July 4, 2026 Location: 2nd+Washington Sts+Limbach Park

Additional fees may be applicable based on review by the Monument Fire Protection District and will be invoiced directly by the district.

Building permits and/or inspections also may be required whenever the Monument Fire Protection District deems it necessary, due to unique conditions, shoddy construction, substandard assembly or set-up, unqualified assemblers, lack of maintenance, or dilapidation of equipment, materials or systems in accordance with the Regional building code.

Tents and other equipment may not be staked into the ground to prevent damage to sprinkler lines. Any damage is the responsibility of the permit holder.

Fire extinguishers are required for each tent.

Will your event include any site-built structure/tent/canopies greater than 400 square feet? Yes No

What size is the tent(s) you plan to use? approximately nine 10x10s

Will your event include any site-built structure/tent/canopies open to the public? Yes No

Will your event include any stages, platforms and/or bleachers? Yes No

Name of Vendor: _____

Contact Name: _____ Phone: _____

Will your event include any electrical work utilizing site-construction equipment or wiring? Yes No

Will your event include any electrical equipment or work utilizing in excess of 120 volts? Yes No

Will your event include any amusement equipment, ie. carnival, bounce houses, climbing wall? Yes No

SIGNATURE

I, the undersigned, hereby attest that I have notified the Town of Monument of any conditions that may cause need for a Building Inspection by checking off all of the conditions above that apply to the event I am organizing.

Applicant Signature:  Date: 2/20/2026

ENTERTAINMENT & VENDORS – Form 9A

Event Name: 4th of July Street Fair and Beer Garden

Event Date: July 4, 2026 Location: Washington+Second Sts+Limbach Park

ENTERTAINMENT

The Town of Monument's noise ordinance applies to all events utilizing amplified sound. During the event, Town law enforcement officers must be allowed access for purposes of monitoring sound levels. The Special Event Application form shall reflect whether amplified sound will be used during the event. The approval of a Special Event Application is not an authorization to violate the Town's noise ordinance. Members of the police department are empowered to make a prima facie determination as to whether a noise is unreasonable. If a complaint occurs, authorities will contact the special event organizer. Event participants are cautioned to use amplified sound responsibly.

Will amplified sound be used at the event? Yes No

If yes, start time: 11:45am Finish time: 5pm

Are there any musical entertainment features to the event? Yes No

Number of performers/bands: 3 (provided by Town of Monument)

Describe your plan for maintaining acceptable decibel/sound levels: Town of Monument will be responsible for this.

VENDORS

The Town of Monument and the State of Colorado mandate full tax license compliance prior to final approval of this event. If your event includes food or retail sales of any kind, you must collect a copy of all vendors' current sales tax license and provide them with the information to remit all sales tax. The Town of Monument's Sales Tax rate is 3.50%. Sales tax is remitted directly to the Town of Monument, a Home Rule jurisdiction. El Paso County sales tax rate is 1.23%, and the State of Colorado sales tax rate is 2.9%. Both county and state sales tax must be remitted directly to the state.

Will there be business/retail vendors at the event? Yes No

Will there be food or beverage vendors at the event? Yes No

The event holder is responsible to make sure all food vendors are properly licensed through the El Paso County Health Department. For information on obtaining a license, call 719-578-3199 or visit www.elpasocountyhealth.org.

SIGNATURE

I, the undersigned, hereby attest that I have notified the Town of Monument of my entertainment and vendor plans for the event I am organizing.

Applicant Signature:  Date: 7/20/2026

EVENT SECURITY – Form 10

Event Name: 4th of July Street Fair and Beer Garden
 Event Date: July 4, 2026 Location: Second+Washington Sts+Limbach Park

The Town of Monument Police Department reserves the right to specify need for and number of Monument Police Officers required at an event based on the chart below.

The safety of the community and attendees are always of primary concern. Additional factors such as: time of day, anticipated crowd size, availability of alcohol, traffic impacts, and others, may require additional officers beyond the suggested minimum.

The Monument Police Department requires the use of Monument Police Officers for special events taking place in the Town of Monument.

Estimated Participants	# of Officers Required Event w/Liquor License	# Officers Required Event without Alcohol
Up to 500	2	0
501 to 999	Determined by Chief of Police	1
1000 or more	Determined by Town Council	

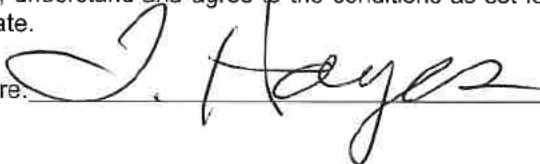
If you intend to sell or provide alcoholic beverages to attendees, you must obtain a Special Event Liquor License through the Town Clerk.

To make a decision about event security, it is important that the Monument Police Department have the following information.

- A map showing in detail the boundaries of the area you are requesting be part of the permitted area for alcohol possession and service. This can be a copy of the map or site plan being submitted for the Special Event Liquor License, but it must be submitted as an additional attachment.
- Provide a detailed description of how you as the event holder plan to delineate the boundary of the permitted area so that those in possession of alcohol are aware of the boundaries.
- Provide a detailed description of how you as the event holder will prevent those in possession of alcohol from leaving the permitted area while in possession of alcohol, as well as how you will otherwise prevent the transfer of alcohol to areas outside the boundary.

SIGNATURE

I, the undersigned, understand and agree to the conditions as set forth by the police department any other conditions deemed appropriate.

Applicant Signature:  Date: 7/20/2026

HAZARDOUS CONDITIONS APPLICATION – Form 11

Event Name: 4th of July Street Fair & Beer Garden
Event Date: 7/4/2026 Location: 2nd St Between Front + Jefferson, Washington between 2nd & 3rd

The Monument Fire Protection District is part of the Town of Monument special event review process. All special events applications are reviewed for overall public safety in accordance with the requirements of the 2012 International Fire Code adopted as amended, as the fire code of the Town of Monument. Additional fees may be determined and invoiced by the Tri-Lakes Monument Fire Protection District.

APPLICANT

Organization or Applicant Name: Tri-Lakes Chamber of Commerce
Event Planner/Contact Person: Abigail Leger
Address: 166 Second St. City: Monument State: Co Zip: 80132
Phone: 719-481-3282 Email Address: Abigail@trilakeschamber.com

Do you plan to use, install, operate or conduct any of the following at your event?

Erect and use a temporary tent greater than 400 square feet Yes No
Open burning (bonfires, cooking, etc.) Yes No
Using open flame torches or candles Yes No

Attach an event site plan with dimensions to this application. The Tri-Lakes Monument Fire Protection District will contact you to go over additional paperwork that may be required.

SIGNATURE

I, the undersigned, have provided the correct information above for the event in which I am planning.

Applicant Signature:  Date: 7/20/2026



Tri-Lakes Monument Fire Protection District provisions:

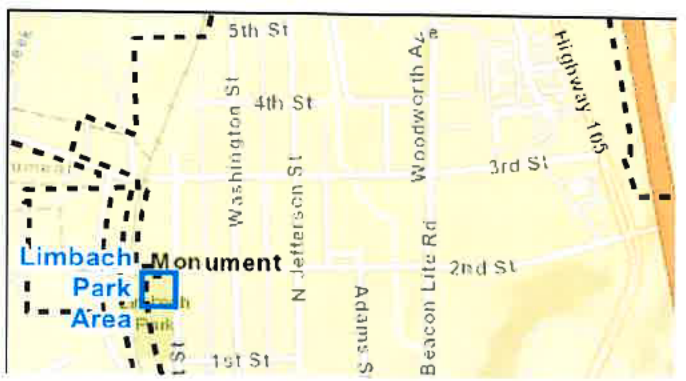
***Note about open burning: A couple of food vendors will use grills outside in the park



Northern Limbach Park

Legend

- 10 Square Feet Blocks
-  Northern Limbach Park Area
-  Town of Monument Border



TOWN OF MONUMENT

RESOLUTION NO. 16-2026

**A RESOLUTION AUTHORIZING THE ISSUANCE OF A
SPECIAL EVENT PERMIT FOR CONDUCTING THE
ANNUAL 4TH OF JULY STREET FAIR AND BEER GARDEN**

WHEREAS, the Town has received an application from the Tri-Lakes Chamber of Commerce to hold the annual 4th of July Street Fair and Beer Garden on Saturday, July 4, 2026; and

WHEREAS, the application has been reviewed and approved by the appropriate departments; and

WHEREAS, Monument Municipal Code 5.52.040 requires the Town Council to approve special event permits for events with estimated attendance of over 1,000 people; and

WHEREAS, the sponsors of the event have provided the certificate of insurance, and all departments have reviewed and provided approval to conduct the proposed Special Event; and

WHEREAS, hosting the annual Tri-Lakes Chamber of Commerce 4th of July Street Fair and Beer Garden will further the Council’s strategic priorities of ensuring long-term financial health and strengthening community engagement.

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

Section 1. The Town Council hereby authorizes the issuance of a Special Event Permit to the Tri-Lakes Chamber of Commerce for the aforementioned event.

PASSED AND RESOLVED by the Town Council of the Town of Monument, El Paso County, Colorado, this 16th day of March, 2026 by a vote of for and against.

TOWN OF MONUMENT

Mitch LaKind, Mayor

ATTEST:

Tina Erickson, Town Clerk



MEMORANDUM

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

FROM: Dan Ungerleider, AICP, Director of Planning

DATE: March 16, 2026

SUBJECT: **Resolution No. 17-2026**, a Resolution Setting Forth Findings of Fact and Conclusions Regarding Proceedings for the Monument Beacon Lite Water Tank Site Annexation, and **Ordinance No. 04-2026**, an Ordinance Annexing Certain Lands Known as the Monument Beacon Lite Water Tank Site Annexation.

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.

On January 5, 2026, Council approved Resolution No. 02-2026, a Resolution Authorizing Filing of a Petition for the Annexation of the Monument Beacon Lite Road Water Tank Site. On February 2, 2026, Council approved Resolution No. 08-2026, a Resolution Initiating Annexation Proceedings for Monument Beacon Lite Road Water Tank Site Annexation and Finding the Petition for Annexation to be in Substantial Compliance Municipal Annexation Act Of 1965. Resolution No. 08-2026 also set the public hearing for tonight, March 16, 2026.

The subject of tonight's Public Hearing is on the Annexation Petition of properties consisting of a portion of Beacon Lite Road and the Beacon Lite Road Water Tank Site. As required, notice was published in The Gazette for four (4) consecutive weeks (2/21/2026, 2/28/2026, 3/7/2026 and 3/14/2026) and mailed to the Owners of property within 500 ft of the Annexation, and to the County, the County Attorney, and representatives of any underlying special districts and school districts.

As requested by the Town, the El Paso County Board of Commissioners has waived by resolution the requirement that the Town produce an Annexation Impact Report.

During tonight's public hearings, Staff is requesting Council consider and approve a resolution and an ordinance:

March 16, 2026

- Resolution No. 17-2026 is a resolution setting forth findings of fact and conclusions regarding proceedings for the Monument Beacon Lite Water Tank Site Annexation. As described by the proposed resolution, the Findings and conclusions are outlined in the resolution, Staff has outlined a base set of findings and inclusions required for annexation of properties as per the Municipal Annexation Act Of 1965.
- Ordinance No. 04-2026 is an ordinance annexing certain lands known as the Monument Beacon Lite Water Tank Site Annexation. With the Council’s approval, the Mayor, Town Clerk and the Planning Director will be authorized to sign the Plat of Annexation and have the Plat recorded by the El Paso County Records Office.

REQUESTED ACTIONS.

1. A motion to **APPROVE** Resolution No. 17-2026, a Resolution Setting Forth Findings Of Fact and Conclusions Regarding Proceedings for Certain Property Known as the Town of Monument Beacon Lite Road Water Tank Site Annexation.
2. A motion to **APPROVE** Ordinance No. 04-2026, an Ordinance Annexing Certain Lands Known as the Town of Monument Beacon Lite Road Water Tank Site Annexation.

Attachments.

1. Staff Presentation
2. Town of Monument Beacon Lite Road Water Tank Site Annexation Plat, dated 1/9/2026
3. Resolution No. 02-2026
4. Ordinance No. 04-2026

Staff Presentation

**BEACON LITE ROAD
WATER TANK SITE
ANNEXATION**
Findings & Annexation Hearing

Town Council – 03/16/2026

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 Road 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

3/16/2026

Town Council – Beacon Lite Road Water Tank Site Annexation

2

ANNEXATION PROCESS

1. 1/5/2026 - Resolution No. 02-2026, a Resolution Authorizing Filing of a Petition for the Annexation of the Monument Beacon Lite Road Water Tank Site.
2. 2/2/2026 – Resolution No. 08-2026, a Resolution Initiating Annexation Proceedings for Monument Beacon Lite Road Water Tank Site Annexation and Finding the Petition for Annexation to be in Substantial Compliance Municipal Annexation Act of 1965, and setting a public hearing for tonight, 3/16/2026.



3

3/16/2026

Town Council – Beacon Lite Road Water Tank Site Annexation

3

Public Hearing Notice Petition for Annexation

The subject of tonight's Public Hearing is on the Annexation Petition of properties consisting of a portion of Beacon Lite Road and the Beacon Lite Road Water Tank Site. Notice was:

- Published in The Gazette for four (4) consecutive weeks (2/21/2026, 2/28/2026, 3/7/2026 and 3/14/2026); and
- Mailed to the Owners of property within 500 ft of the Annexation, and to the County, the County Attorney, and representatives of any underlying special districts and school districts.



4

3/16/2026

Town Council – Beacon Lite Road Water Tank Site Annexation

4

ANNEXATION PROCESS (tonight)

3. 3/16/2026 – Resolution No. 17-2026, a Resolution Setting Forth Findings of Fact and Conclusions Regarding Proceedings for the Monument Beacon Lite Water Tank Site Annexation.
4. 3/16/2026 – Ordinance No. 04-2026, an Ordinance Annexing Certain Lands Known as the Monument Beacon Lite Water Tank Site Annexation.



5

3/16/2026

Town Council – Beacon Lite Road Water Tank Site Annexation

5

Res. No. 17-2026 FINDINGS AND CONCLUSIONS

- One-Sixth Boundary Contiguity.
- No More than Three Miles from the Existing Town Boundary.
- A Community of Interest.
- An Urban Area.
- Integration with the Town.
- Landowners' Consent.
- Will Not Detach Property from the School District.
- No Petition for Annexation Election.
- No Additional Terms.
- Petition Signed by All Property Owners.
- Three Mile Plan in Place and Updated.
- County Waiver of Annexation Impact Report (3/16/2026).



6

3/16/2026

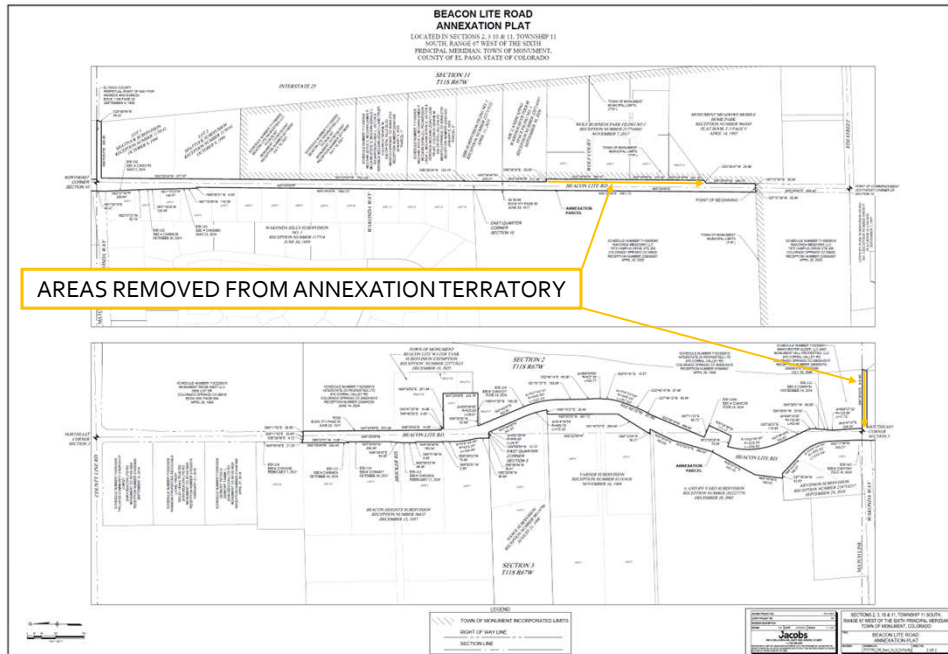
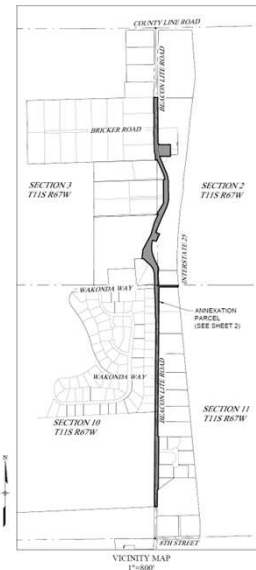
Town Council – Beacon Lite Road Water Tank Site Annexation

6

REQUESTED ACTIONS

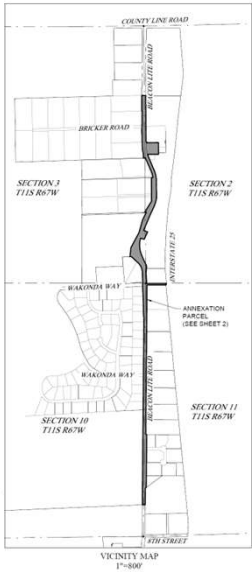
RESOLUTION NO. 17-2026

A motion to **APPROVE** Resolution No. 17-2026, a Resolution Setting Forth Findings of Fact and Conclusions Regarding Proceedings for Certain Property Known as the Town of Monument Beacon Lite Road Water Tank Site Annexation.



REQUESTED ACTIONS Resolution No. 17, 2026

A motion to **APPROVE** Ordinance No. 04-2026, an Ordinance Annexing Certain Lands Known as the Town of Monument Beacon Lite Road Water Tank Site Annexation.



TOWN OF MONUMENT BEACON LITE ROAD WATER TANK SITE ANNEXATION PLAT

LOCATED IN SECTIONS 2, 3, 10 & 11, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO

PROPERTY OWNER'S CERTIFICATE:

Know all men by these presents, that the undersigned, being the Owner of certain lands in El Paso County, Colorado, described as follows:

LOT 1 OF TOWN OF MONUMENT BEACON LITE WATER TANK SUBDIVISION EXEMPTION RECORDED AT RECEPTION NUMBER 225715633 ON DECEMBER 19, 2025 AND A PARCEL OF LAND SITUATED IN SECTIONS 2, 3, 10, & 11, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 10, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN; THENCE NORTH 00°28'40" EAST, COINCIDENT WITH THE EAST LINE OF SAID SECTION, A DISTANCE OF 664.55 FEET TO THE TOWN OF MONUMENT LIMITS AND THE POINT OF BEGINNING.

THENCE SOUTH 87°37'38" WEST, COINCIDENT WITH SAID TOWN LIMITS, A DISTANCE OF 30.04 FEET TO THE WEST RIGHT OF WAY LINE OF BEACON LITE ROAD AS DESCRIBED IN BOOK 571 PAGE 55 RECORDED ON JUNE 20, 1917 IN THE OFFICE OF THE CLERK AND RECORDER OF EL PASO COUNTY;

THENCE NORTH 0°28'40" EAST, COINCIDENT WITH SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 1,991.13 FEET TO THE SOUTHEAST CORNER OF LOT 14 OF WAKONDA HILLS SUBDIVISION NO.1 RECORDED AT RECEPTION NUMBER 117714 ON JUNE 30, 1959;

THENCE NORTH 0°29'24" EAST, COINCIDENT WITH THE WEST RIGHT OF WAY LINE OF BEACON LITE ROAD AS SHOWN ON SAID SUBDIVISION, A DISTANCE OF 1,950.70 FEET TO THE SOUTHEAST CORNER OF EL PASO COUNTY PARCEL RW-101 RECORDED AT RECEPTION NUMBER 224038881 ON MAY 23, 2024;

THENCE NORTH 89°30'31" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID PARCEL RW-101, A DISTANCE OF 6.63 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL RW-101;

THENCE NORTH 1°19'36" WEST, COINCIDENT WITH THE WEST LINE OF SAID PARCEL RW-101, A DISTANCE OF 110.36 FEET;

THENCE NORTH 1°19'23" WEST, CONTINUING COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 142.91 FEET TO THE SOUTHWEST CORNER OF EL PASO COUNTY PARCEL RW-102 RECORDED AT RECEPTION NUMBER 224086238 ON OCTOBER 30, 2024;

THENCE NORTH 1°19'28" WEST, COINCIDENT WITH THE WEST LINE OF SAID PARCEL RW-102, A DISTANCE OF 124.38 FEET;

THENCE NORTH 2°37'27" WEST, CONTINUING COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 55.76 FEET TO THE SOUTHWEST CORNER OF EL PASO COUNTY PARCEL RW-103 RECORDED AT RECEPTION NUMBER 224032791 ON MAY 2, 2024;

THENCE NORTH 2°37'32" WEST, COINCIDENT WITH THE WEST LINE OF SAID PARCEL RW-103, A DISTANCE OF 208.64 FEET TO THE SOUTH RIGHT OF WAY LINE OF WAKONDA WAY AND THE NORTHWEST CORNER OF SAID PARCEL RW-103;

THENCE NORTH 1°29'18" EAST, A DISTANCE OF 90.21 FEET TO THE NORTH RIGHT OF WAY LINE OF WAKONDA WAY AND THE NORTHEAST CORNER OF EL PASO COUNTY PARCEL RW-105 RECORDED AT RECEPTION NUMBER 224057945 ON JULY 29, 2024;

THENCE COINCIDENT WITH THE WEST RIGHT OF WAY LINE OF BEACON LITE ROAD AS SHOWN ON ARVIDSON SUBDIVISION RECORDED AT RECEPTION NUMBER 218714217 ON SEPTEMBER 24, 2018 THE FOLLOWING THREE COURSES:

- 1) NORTH 2°17'36" WEST, TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 202.21 FEET;
2) ALONG THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF 44°24'56", A DISTANCE OF 232.56 FEET;
3) NORTH 46°42'24" WEST, TANGENT TO THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 184.01 FEET TO THE NORTHEAST CORNER OF LOT 2 OF SAID SUBDIVISION;

THENCE SOUTH 87°35'24" WEST, COINCIDENT WITH THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 32.43 FEET TO THE EAST LINE OF A AND B'S YARD SUBDIVISION RECORDED AT RECEPTION NUMBER 202227776 ON DECEMBER 20, 2002;

THENCE COINCIDENT WITH SAID EAST LINE THE FOLLOWING FOUR COURSES:

- 1) NORTH 6°55'36" EAST, A DISTANCE OF 195.03 FEET;
2) NORTH 28°07'37" EAST, A DISTANCE OF 351.70 FEET;
3) NORTH 15°52'37" EAST, A DISTANCE OF 280.53 FEET;
4) NORTH 25°55'37" EAST, A DISTANCE OF 180.05 FEET TO THE NORTHEAST CORNER OF SAID SUBDIVISION;

THENCE SOUTH 88°12'24" WEST, COINCIDENT WITH THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 34.21 FEET TO THE WEST RIGHT OF WAY LINE OF BEACON LITE ROAD AS SHOWN ON VARNER SUBDIVISION RECORDED AT RECEPTION NUMBER 01183438 ON NOVEMBER 16, 1984;

THENCE NORTH 31°47'07" EAST, COINCIDENT WITH SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 268.44 FEET; THENCE NORTH 0°03'53" WEST, CONTINUING COINCIDENT WITH SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 497.72 FEET TO THE SOUTH LINE OF NANCE SUBDIVISION RECORDED AT RECEPTION NUMBER 98119796 ON AUGUST 21, 1998;

THENCE NORTH 88°15'27" EAST, COINCIDENT WITH SAID SOUTH LINE AND NON-TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 29.44 FEET TO THE SOUTHEAST CORNER OF SAID SUBDIVISION;

THENCE COINCIDENT WITH THE EAST LINE OF SAID SUBDIVISION THE FOLLOWING THREE COURSES:

- 1) ALONG THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 689.79 FEET, TO WHICH A RADIAL LINE BEARS SOUTH 80°44'58" WEST, A CENTRAL ANGLE OF 14°33'54", A DISTANCE OF 175.35 FEET;
2) NORTH 23°48'56" WEST, TANGENT TO THE PREVIOUSLY DESCRIBED CURVE AND TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 241.81 FEET;
3) ALONG THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 646.00 FEET, A CENTRAL ANGLE OF 2°08'05", A DISTANCE OF 24.07 FEET TO THE NORTHEAST CORNER OF SAID SUBDIVISION;

THENCE SOUTH 88°09'54" WEST, COINCIDENT WITH THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 12.13 FEET TO THE EAST QUARTER CORNER OF SECTION 3, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN;

THENCE SOUTH 88°09'54" WEST, CONTINUING COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 30.01 FEET TO THE SOUTHEAST CORNER OF BEACON HEIGHTS SUBDIVISION RECORDED AT RECEPTION NUMBER 56832 ON DECEMBER 13, 1957;

THENCE NORTH 0°29'58" WEST, COINCIDENT WITH THE EAST LINE OF SAID SUBDIVISION AND NON-TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 86.99 FEET TO THE SOUTH CORNER OF EL PASO COUNTY PARCEL RW-113 RECORDED AT RECEPTION NUMBER 224010818 ON FEBRUARY 15, 2024;

THENCE COINCIDENT WITH THE WEST LINE OF SAID PARCEL RW-113 THE FOLLOWING SIX COURSES:

- 1) ALONG THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 605.00 FEET, TO WHICH A RADIAL LINE BEARS NORTH 74°02'19" EAST, A CENTRAL ANGLE OF 15°48'49", A DISTANCE OF 166.98 FEET;
2) NORTH 0°08'52" WEST, TANGENT WITH THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 76.89 FEET;
3) SOUTH 89°02'01" WEST, A DISTANCE OF 2.00 FEET;
4) NORTH 0°09'39" WEST, A DISTANCE OF 189.34 FEET;
5) SOUTH 89°51'08" WEST, A DISTANCE OF 4.96 FEET;
6) NORTH 0°08'52" WEST, A DISTANCE OF 94.38 FEET;

THENCE NORTH 4°34'43" EAST, A DISTANCE OF 84.95 FEET TO THE WEST LINE OF EL PASO COUNTY PARCEL RW-114 RECORDED AT RECEPTION NUMBER 225094817 ON OCTOBER 30, 2025;

THENCE NORTH 00°08'50" WEST, COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 292.28 FEET TO THE SOUTH LINE OF EL PASO COUNTY PARCEL RW-115 RECORDED AT RECEPTION NUMBER 224086424 ON OCTOBER 30, 2024;

THENCE SOUTH 88°23'51" WEST, COINCIDENT WITH SAID SOUTH LINE, A DISTANCE OF 6.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL RW-115;

THENCE NORTH 0°08'48" WEST, COINCIDENT WITH THE WEST LINE OF SAID PARCEL RW-115, A DISTANCE OF 325.34 FEET TO THE NORTHWEST CORNER OF SAID PARCEL RW-115;

THENCE NORTH 88°58'50" EAST, COINCIDENT WITH THE NORTH LINE OF SAID PARCEL RW-115, A DISTANCE OF 21.35 FEET TO THE NORTHEAST CORNER OF SAID PARCEL RW-115;

THENCE SOUTH 0°29'58" EAST, COINCIDENT WITH THE EAST LINE OF SAID PARCEL RW-115, A DISTANCE OF 4.72 FEET;

THENCE SOUTH 89°11'52" EAST, A DISTANCE OF 29.96 FEET TO THE SECTION LINE COMMON TO SECTIONS 2 AND 3 OF TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN;

THENCE SOUTH 89°11'52" EAST, A DISTANCE OF 30.06 FEET TO THE EAST RIGHT OF WAY LINE OF BEACON LITE ROAD AS DESCRIBED IN BOOK 571 PAGE 55 RECORDED ON JUNE 20, 1917;

PROPERTY OWNER'S CERTIFICATE CONTINUED:

THENCE SOUTH 0°29'58" EAST, COINCIDENT WITH SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 974.56 FEET TO THE EAST RIGHT OF WAY LINE OF BEACON LITE ROAD AS SHOWN ON TOWN OF MONUMENT BEACON LITE WATER TANK SUBDIVISION EXEMPTION RECORDED AT RECEPTION NUMBER 225715633 ON DECEMBER 19, 2025;

THENCE COINCIDENT WITH SAID EAST RIGHT OF WAY LINE THE FOLLOWING THREE COURSES:

- 1) NORTH 89°30'02" EAST, A DISTANCE OF 14.66 FEET;
2) SOUTH 45°40'28" EAST, A DISTANCE OF 4.46 FEET;
3) SOUTH 43°47'25" WEST, A DISTANCE OF 14.98 FEET TO THE NORTH LINE OF LOT 1 OF SAID SUBDIVISION EXEMPTION;

THENCE NORTH 89°30'02" EAST, COINCIDENT WITH THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 251.84 FEET TO THE NORTHEAST CORNER OF SAID LOT 1;

THENCE SOUTH 00°29'58" EAST, COINCIDENT WITH THE EAST LINE OF SAID LOT 1, A DISTANCE OF 245.78 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1;

THENCE NORTH 89°47'25" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 168.29 FEET TO SAID EAST RIGHT OF WAY LINE;

THENCE SOUTH 89°30'02" WEST, COINCIDENT WITH SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 63.99 FEET TO THE NORTHEAST CORNER OF EL PASO COUNTY PARCEL 119 RECORDED AT RECEPTION NUMBER 224045237 ON JUNE 14, 2024;

THENCE COINCIDENT WITH THE EAST LINE OF SAID PARCEL RW-119 THE FOLLOWING FOUR COURSES:

- 1) ALONG THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 525.00 FEET, TO WHICH A RADIAL LINE BEARS NORTH 70°26'12" EAST, A CENTRAL ANGLE OF 03°09'58", A DISTANCE OF 29.01 FEET;
2) THENCE SOUTH 22°43'47" EAST, TANGENT TO THE PREVIOUSLY DESCRIBED CURVE AND TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 322.87 FEET;
3) ALONG THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 640.00 FEET, A CENTRAL ANGLE OF 21°42'11", A DISTANCE OF 242.43 FEET;
4) THENCE SOUTH 1°01'37" EAST, TANGENT TO THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 189.06 FEET TO THE EAST RIGHT OF WAY LINE OF BEACON LITE ROAD;

THENCE SOUTH 2°45'14" EAST, COINCIDENT WITH SAID EAST RIGHT OF WAY LINE AND TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 65.90 FEET;

THENCE CONTINUING COINCIDENT WITH SAID EAST RIGHT OF WAY ALONG THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 527.35 FEET, A CENTRAL ANGLE OF 9°06'05", A DISTANCE OF 83.77 FEET TO THE NORTH CORNER OF EL PASO COUNTY PARCEL RW-119A RECORDED AT RECEPTION NUMBER 224045238 ON JUNE 14, 2024;

THENCE COINCIDENT WITH THE EAST LINE OF SAID PARCEL RW-119A THE FOLLOWING THIRTEEN COURSES:

- 1) SOUTH 2°01'41" EAST, NON-TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 15.57 FEET;
2) ALONG THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 646.00 FEET, TO WHICH A RADIAL LINE BEARS NORTH 82°04'50" WEST, A CENTRAL ANGLE OF 14°53'08", A DISTANCE OF 167.83 FEET;
3) SOUTH 22°48'15" WEST, TANGENT TO THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 97.46 FEET;
4) SOUTH 27°49'12" WEST, A DISTANCE OF 68.64 FEET;
5) SOUTH 22°48'16" WEST, A DISTANCE OF 399.88 FEET;
6) SOUTH 67°11'37" EAST, A DISTANCE OF 89.72 FEET;
7) SOUTH 25°04'36" WEST, A DISTANCE OF 171.11 FEET;
8) NORTH 72°20'28" WEST, NON-TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 79.58 FEET;
9) ALONG THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 525.00 FEET, TO WHICH A RADIAL LINE BEARS SOUTH 73°58'43" EAST, A CENTRAL ANGLE OF 39°09'36", A DISTANCE OF 358.82 FEET;
10) SOUTH 23°08'19" EAST, TANGENT TO THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 102.82 FEET;
11) SOUTH 25°38'37" EAST, TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 118.48 FEET;
12) ALONG THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 30°18'30", A DISTANCE OF 63.48 FEET;
13) SOUTH 4°39'51" WEST, TANGENT WITH THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 25.55 FEET TO THE NORTHEAST CORNER OF EL PASO COUNTY PARCEL RW-122 RECORDED AT RECEPTION NUMBER 224090781 ON NOVEMBER 14, 2024;

THENCE COINCIDENT WITH THE EAST LINE OF SAID PARCEL RW-122 THE FOLLOWING 3 COURSES:

- 1) SOUTH 4°39'51" WEST, TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 88.00 FEET;
2) ALONG THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 8°27'32", A DISTANCE OF 17.72 FEET;
3) SOUTH 3°47'37" EAST, TANGENT TO THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 204.54 FEET TO THE SOUTH LINE OF A PARCEL OF LAND RECORDED AT RECEPTION NUMBER 208085378 ON JULY 30, 2008;

THENCE SOUTH 89°59'53" EAST, COINCIDENT WITH SAID SOUTH LINE, A DISTANCE OF 415.48 FEET;

THENCE SOUTH 20°48'54" WEST, A DISTANCE OF 34.23 FEET TO THE NORTHEAST CORNER OF SHATTUCK SUBDIVISION RECORDED AT RECEPTION NUMBER 1170141 ON OCTOBER 9, 1984;

THENCE NORTH 89°59'53" WEST, COINCIDENT WITH THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 395.88 FEET TO THE NORTHWEST CORNER OF SAID SUBDIVISION;

THENCE SOUTH 0°29'24" WEST, COINCIDENT WITH WEST LINE OF SAID SUBDIVISION, A DISTANCE OF 977.97 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION;

THENCE COINCIDENT WITH SAID TOWN LIMITS THE FOLLOWING TEN COURSES:

- 1) SOUTH 0°29'24" WEST, COINCIDENT WITH THE EAST RIGHT OF WAY LINE OF BEACON LITE ROAD AS DESCRIBED IN BOOK 571 PAGE 55 RECORDED ON JUNE 20, 1917, A DISTANCE OF 1521.55 FEET TO THE NORTHWEST CORNER OF SBR SUBDIVISION FILING NO. 1 RECORDED AT RECEPTION NUMBER 223715121 ON APRIL 11, 2023;
2) SOUTH 0°29'24" WEST, COINCIDENT WITH THE WEST LINE OF SAID SUBDIVISION, A DISTANCE OF 123.15 FEET;
3) SOUTH 0°28'40" WEST, CONTINUING COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 203.41 FEET TO THE NORTHWEST CORNER OF ABC LANDSCAPING WAREHOUSE/OUTDOOR SPACE FILING NO. 1 RECORDED AT RECEPTION NUMBER 220714597 ON SEPTEMBER 30, 2020;
4) SOUTH 0°28'40" WEST, COINCIDENT WITH THE WEST LINE OF SAID ABC LANDSCAPING WAREHOUSE/OUTDOOR SPACE FILING NO. 1, A DISTANCE OF 311.38 FEET TO THE SOUTHEAST CORNER OF SAID ABC LANDSCAPING WAREHOUSE/OUTDOOR SPACE FILING NO. 1;
5) SOUTH 89°29'33" EAST, COINCIDENT WITH THE SOUTH LINE OF SAID ABC LANDSCAPING WAREHOUSE/OUTDOOR SPACE FILING NO. 1, A DISTANCE OF 20.00 FEET TO THE NORTHEAST CORNER OF TRACT A OF WOLF BUSINESS PARK RECORDED AT RECEPTION NUMBER 202083355 ON MAY 22, 2002;
6) SOUTH 0°29'58" WEST, COINCIDENT WITH THE EAST LINE OF SAID TRACT A, A DISTANCE OF 584.47 FEET TO THE NORTHEAST CORNER OF TRACT B OF WOLF BUSINESS PARK FILING NO. 2 RECORDED AT RECEPTION NUMBER 217744043 ON NOVEMBER 7, 2017;
7) SOUTH 0°29'58" WEST, COINCIDENT WITH THE EAST LINE OF SAID TRACT B, A DISTANCE OF 275.95 FEET TO THE SOUTHWEST CORNER OF LOT 7 OF SAID WOLF BUSINESS PARK FILING NO. 2;
8) SOUTH 0°24'19" WEST, CONTINUING COINCIDENT WITH THE EAST LINE OF SAID TRACT B, A DISTANCE OF 251.18 FEET TO THE NORTH LINE OF MONUMENT MEADOWS MOBILE HOME PARK RECORDED AT RECEPTION NUMBER 966369 ON APRIL 14, 1983;
9) SOUTH 53°36'47" WEST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 24.99 FEET TO THE NORTHWEST CORNER OF SAID MONUMENT MEADOWS MOBILE HOME PARK;
10) SOUTH 0°28'40" WEST, COINCIDENT WITH THE WEST LINE OF SAID MONUMENT MEADOWS MOBILE HOME PARK, A DISTANCE OF 346.75 FEET;

THENCE SOUTH 87°37'38" WEST, A DISTANCE OF 30.04 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 806,812 SQUARE FEET (18,522 ACRES), MORE OR LESS.

Do hereby request annexation to the Town of Monument, the above-described parcel of land.

Executed this ___ day of _____, 2026.

Owner(s) _____ Owner(s) _____

GENERAL NOTES:

- 1. THIS ANNEXATION PLAT DOES NOT REPRESENT A MONUMENTED LAND SURVEY NOR A LAND SURVEY PLAT. ALL INFORMATION SHOWN HEREON WAS TAKEN FROM PUBLIC RECORDS.
2. DATE OF PREPARATION: AUGUST 15, 2025 - DECEMBER 19, 2025
3. UNITS: US SURVEY FEET
4. BEARINGS ARE BASED ON THE NORTH-SOUTH SECTION LINE BETWEEN THE SOUTHEAST CORNER AND THE EAST QUARTER CORNER OF SECTION 10, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN ASSUMED TO BEAR NORTH 00°28'40" EAST.
5. THE TOWN OF MONUMENT INCORPORATED LIMITS SHOWN HEREON ARE BASED ON A GIS SHAPE FILE RECEIVED FROM THE TOWN OF MONUMENT PLANNING DEPARTMENT ON JANUARY 24, 2025.
6. NO FIELD WORK WAS REQUIRED FOR THIS ANNEXATION PLAT.

CONTIGUITY CALCULATIONS:

Boundary Perimeter = 19355.87 Linear Feet
Contiguous Boundary = 3722.90 Linear Feet
Actual Contiguity = 1/5 or 19%
Minimum Contiguity = 1/6 or 17%
Area of Parcel = 18.522 Acres +/-

TOWN APPROVAL:

Pursuant to an ordinance made and adopted by the Town of Monument, El Paso County, Colorado this ___ day of _____, 2026.

Mayor _____ Date _____

Town Clerk _____ Date _____

PLANNING DEPARTMENT:

This annexation plat was reviewed by the Town of Monument Planning Department this ___ day of _____, 2026.

Planning Director _____

CLERK AND RECORDER'S CERTIFICATE:

State of Colorado)
) ss.
County of El Paso)

I hereby certify this instrument was filed for record in my office at _____ o'clock _____ m, this ___ day of _____ 2026 and is duly recorded under Reception Number _____ of the records of El Paso County, Colorado.

Steve Schlieker, Clerk and Recorder

By: _____

Its: _____

Fee: _____

Surcharge: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

Signed before me on ___ day of _____, 2026, by _____.

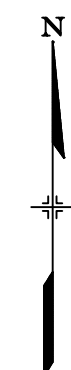
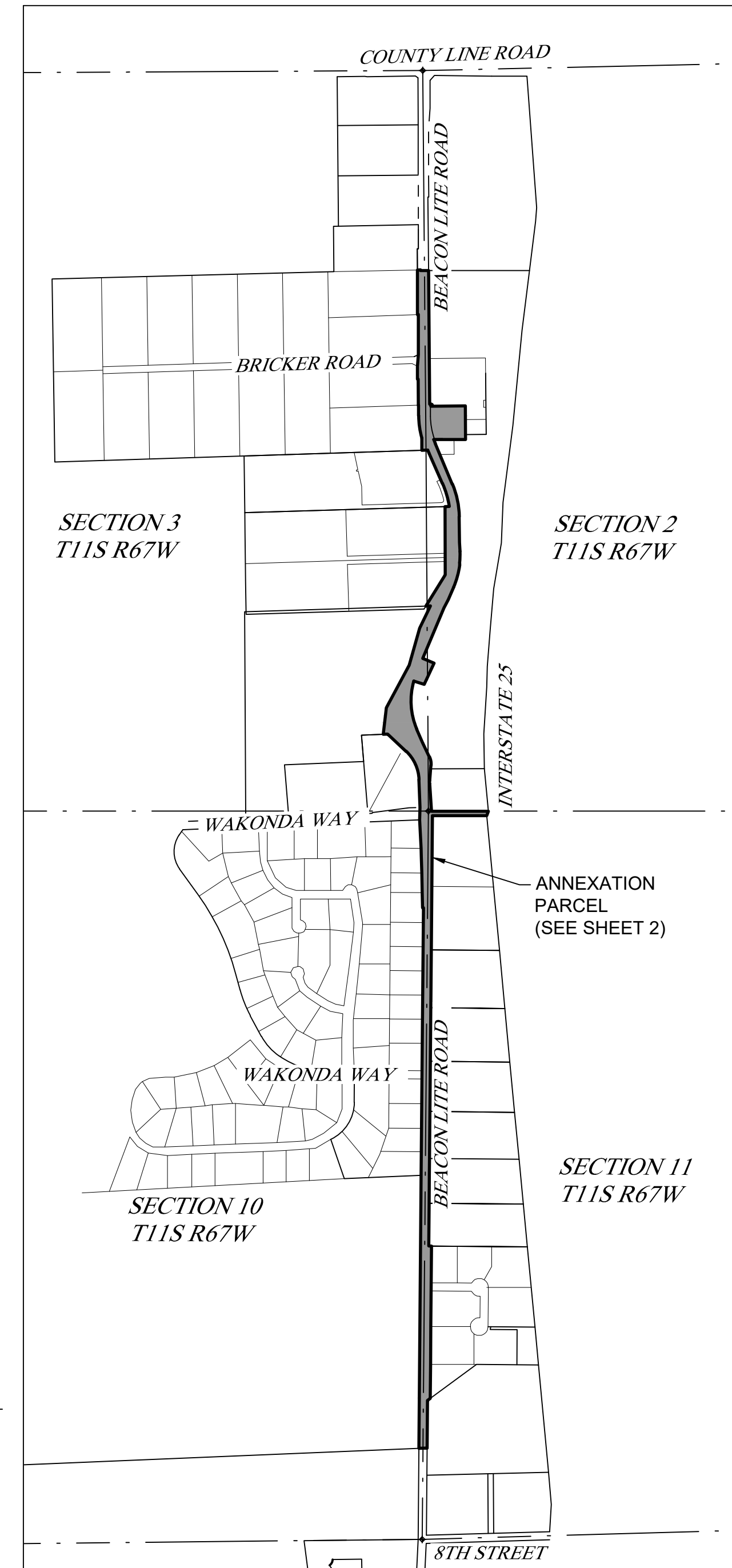
Notary Signature _____

My Commission Expires: _____

SURVEYOR'S CERTIFICATE:

I, Edward C. Silver, a Professional Land Surveyor in the State of Colorado, do hereby certify that this annexation plat was made under my direct supervision and said plat accurately represents the described parcel of land, to the best of my knowledge and belief.

Edward C. Silver PLS No. 37051
For and on behalf of
Jacobs Engineering Group Inc.

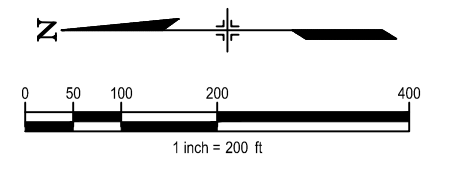
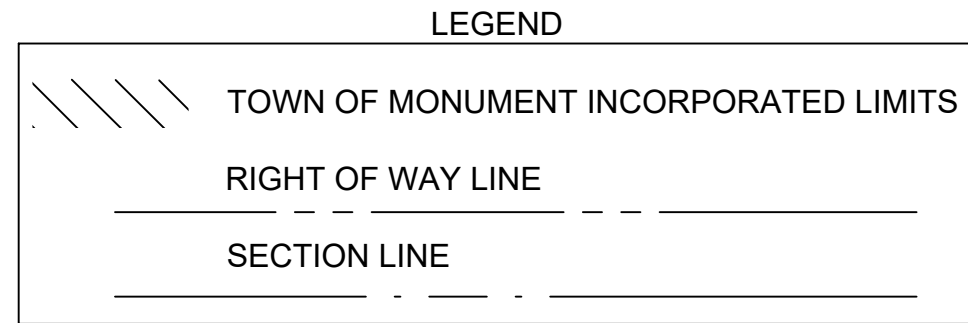
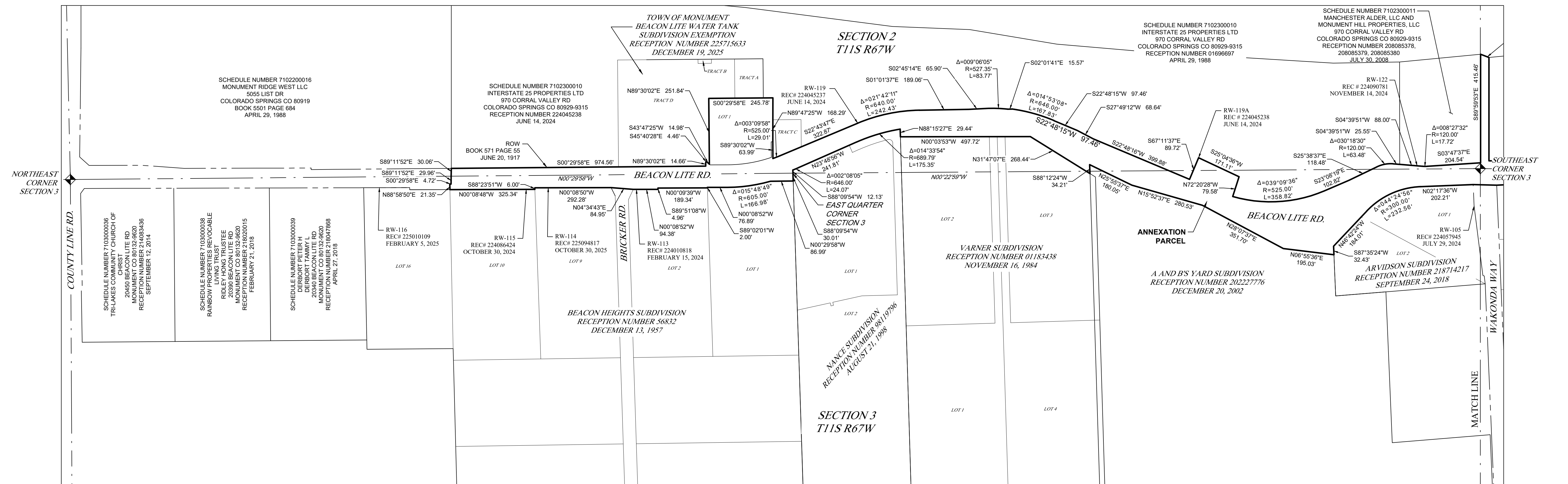
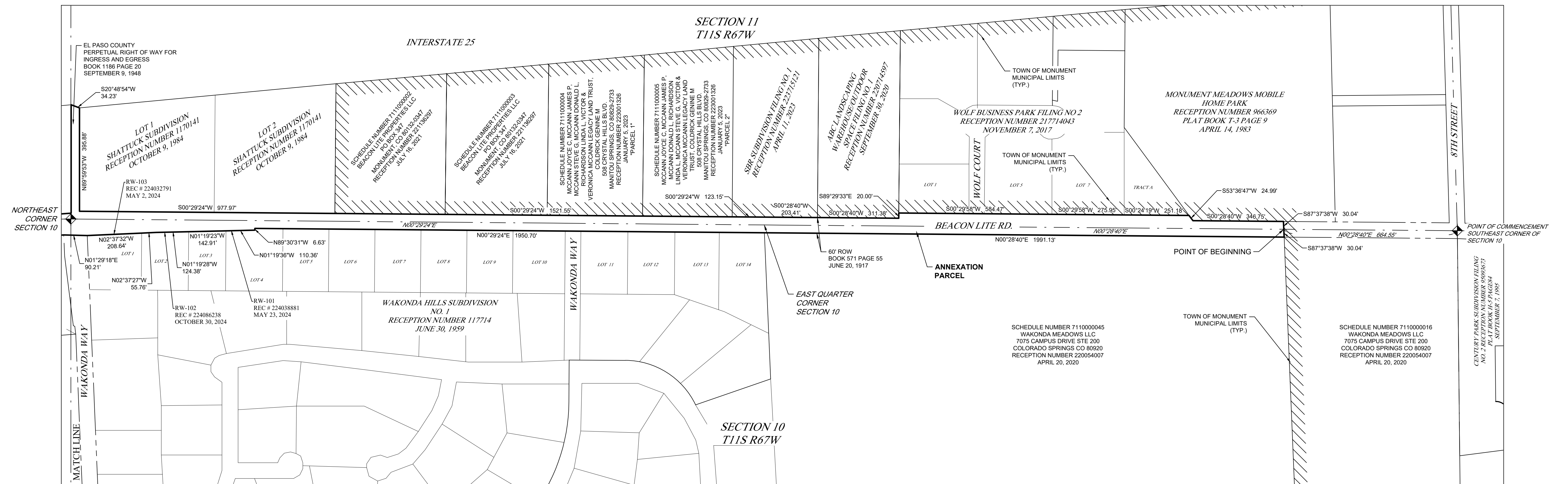


VICINITY MAP 1"=800'

JACOBS PROJECT NO. WY19950
CLIENT PROJECT NO. N/A
REVISION DESCRIPTION:
DRAWN S.S. DATE 10/20/25 SCALE N/A
TITLE: TOWN OF MONUMENT BEACON LITE ROAD WATER TANK SITE ANNEXATION PLAT
SHEET NO. 1 OF 2

TOWN OF MONUMENT BEACON LITE ROAD WATER TANK SITE ANNEXATION PLAT

LOCATED IN SECTIONS 2, 3, 10 & 11, TOWNSHIP 11 SOUTH,
RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF EL PASO, STATE OF COLORADO



JACOBS PROJECT NO. WY19001		CLIENT PROJECT NO. N/A	
REVISION DESCRIPTION		DRAWN S.S. DATE 10/20/20 SCALE 1" = 200'	
JACOBS		7001 E. BELLEVUE AVE., SUITE 1000, DENVER, CO 80237	
TOWN OF MONUMENT BEACON LITE ROAD WATER TANK SITE ANNEXATION PLAT		SHEET NO. 2 OF 2	

**TOWN OF MONUMENT, COLORADO
TOWN COUNCIL**

RESOLUTION NO. 17-2026

**A RESOLUTION SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS
REGARDING PROCEEDINGS FOR CERTAIN PROPERTY KNOWN AS THE
TOWN OF MONUMENT BEACON LITE ROAD WATER TANK SITE
ANNEXATION**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF
MONUMENT, COLORADO, as follows:

The Town Council hereby sets forth its findings of fact and conclusions based thereon with respect to the Petition for Annexation (“Petition”) of land commonly known as the Town of Monument Beacon Lite Road Water Tank Site, based on the evidence contained in the official file, the official records of the Town of Monument, Colorado, and the evidence produced at the public hearing held on the 16th day of March, 2026.

FINDINGS OF FACT

1. The Town Council adopted Resolution No. 08-2026, finding the Petition and the annexation map attached thereto, of the land described therein, and incorporated herein (the “Property”), and also known as the Town of Monument Beacon Lite Road Water Tank Site Annexation, to be eligible for annexation and in substantial compliance with Section 31-12-107(1), C.R.S.

2. On the 16th day of March, 2026, the Town Council completed a hearing pursuant to Section 31-12-109, C.R.S., to determine if the proposed annexation complies with Section 30 of Article II of the Colorado Constitution and Sections 31-12-104 and 31-12-105, C.R.S., at which time any person was allowed to appear and present evidence regarding the proposed annexation.

3. Proper notice of this hearing was given in accordance with Section 31-12-108 C.R.S. as follows:

(a) The Town Clerk has published a copy of Resolution No. 08-2026 together with a notice that, on the given date and at the given time and place set by the Town Council, the Town Council shall hold a hearing upon Resolution No. 17-2026 for the purpose of determining and finding whether the area proposed to be annexed meets the applicable requirements of Section 30 of Article II of the Colorado Constitution and Sections 31-12-104 and 31-12-105 C.R.S. and is considered eligible for annexation.

(b) Said notice was published on February 21, 2026, February 28, 2026, March 7, 2026, and March 14, 2026, in the Tri Lakes Tribune newspaper, a newspaper of general circulation in the area proposed to be annexed. The proof of publication of the notice and Resolution No. 08-2026, or the summary thereof, have been returned together with the certificate of the owner, editor, or manager of the Tri Lakes Tribune newspaper.

(c) Copies of the published notice, Resolution No. 08-2026 and the Petition were also mailed as provided in Section 31-12-108(2), C.R.S.

(d) The Town Clerk has also provided notice to abutting property owners as specified in Sections 31-12-105(e.1) and (e.3), C.R.S.

4. The requirements of the applicable parts of Sections 31-12-104 and 31-12-105, C.R.S., have been met, including the following:

(a) Not less than one-sixth (1/6th) of the perimeter of the Property is contiguous with the Town, as can be seen from the annexation map and as substantiated by the testimony.

(b) A community of interest exists between the Property and the Town, due to the one-sixth contiguity between the Property and the existing Town boundary, the proximity of the Property to the Town, the desires of the owners to annex and existing Town services in the area.

(c) The Property is urban or will be urbanized in the near future and is already substantially integrated with and is capable of being fully integrated with the Town, based on the one-sixth contiguity between the Property and the existing Town boundary. A majority of the adult residents in the area immediately adjacent to the Property are Town residents or already make use of the recreational, civic, social, religious, industrial and commercial facilities of the Town. The Property is not currently in agricultural use, and the owners of the Property have not expressed, under oath, an intention to devote the land to agricultural use for a period of not less than five years.

(d) It is practical to extend Town services to the area on the same terms and conditions on which services are available to Town citizens generally.

(e) No land held in identical ownership has been divided into separate parts without the written consent of the owner. No land comprising 20 acres or more with a valuation of over \$200,000 has been included without written consent. No annexation proceedings concerning the Property have been commenced by any other municipality.

(f) This annexation will not result in any detachment of area from the Lewis-Palmer School District #38. No part of the Property extends any more than three miles from the existing Town boundaries. The Town has in place an annexation plan as required by Section 31-12-105, C.R.S.

(g) The entire width of any platted street or alley to be annexed is included within the Property.

(h) Access shall be allowed to annexed portions of any platted street or alley to the owners of unincorporated property adjoining any annexed street or alley, to the owner of an easement, or to the owner of a franchise, on a reasonable basis.

5. No petition for annexation election has been submitted, and an election is not required pursuant to Section 31-12-107(2), C.R.S.

6. The Town Council has determined that an additional term and condition of annexation as set forth below regarding zoning, will be imposed.

7. The Petition was signed by landowners of one hundred percent (100%) of the Property exclusive of streets and alleys, and land owned by the Town.

CONCLUSIONS

1. The Property is eligible for annexation to the Town pursuant to applicable parts of Section 31-12-104, C.R.S., and should be so annexed.

2. None of the limitations of Section 31-12-105, C.R.S., applies to restrict annexation.

3. An election is not required under Section 31-12-107(2), C.R.S.; said area may be annexed by Ordinance pursuant to Section 31-12-111, C.R.S.

4. Following the adoption of this resolution and prior to 12:00 pm (noon) on the day before the effective date of an ordinance annexing the Property, the Property owner shall initiate zoning proceedings to have the Property, exclusive of streets and roads, zoned Public Zone District by the Town. If Public Zone District zoning is not initiated by 12:00 pm (noon) on the day before the effective date of an ordinance annexing the Property, any annexation Ordinance shall be deemed to be void and withdrawn, and annexation of the Property denied.

ADOPTED by a vote of ____ in favor and ____ against, this 16th day of March, 2026.

TOWN OF MONUMENT

By:

Mitch LaKind, Mayor

Attest:

Tina Erickson, Town Clerk

I hereby certify that the above Resolution was introduced to and approved by the Town Council of the Town of Monument at its meeting of March 16, 2026.

By:

Tina Erickson, Town Clerk

TOWN OF MONUMENT, COLORADO

TOWN COUNCIL

**ORDINANCE NO. 04-2026
(SERIES 2026)**

**AN ORDINANCE ANNEXING CERTAIN LANDS KNOWN AS THE TOWN OF
MONUMENT BEACON LITE ROAD WATER TANK SITE ANNEXATION**

WHEREAS, a Petition for Annexation (“Petition”) of land known as the Town of Monument Beacon Lite Road Water Tank Site Annexation, described on the annexation map attached hereto as Exhibit A and incorporated herein by this reference (“Property”), has been filed with and submitted to the Town of Monument; and

WHEREAS, the Town Council has adopted Resolution No. 08-2026, Initiating Annexation Proceedings for Certain Property to be known as the Town of Monument Beacon Lite Road Water Tank Site Annexation, and Finding the Petition to be in Substantial Compliance with Section 31-12-107, C.R.S.; and

WHEREAS, all applicable requirements of the Municipal Annexation Act of 1965 have been fulfilled; and

WHEREAS, a public hearing on this Ordinance was held on the 16th day of March, 2026, at 6:30 p.m. at the Town Council Chambers, 645 Beacon Lite Road, Monument, Colorado; and

WHEREAS, at the public hearing the Town Council received evidence and adopted Resolution No. 17-2026 setting forth findings of fact and conclusions regarding the Town of Monument Beacon Lite Road Water Tank Site Annexation; and

WHEREAS, the Property is eligible for annexation in accordance with the Municipal Annexation Act of 1965; and

WHEREAS, the Town Council does hereby find and determines that it is in the best interests of the Town to annex the Property to the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MONUMENT, COLORADO, as follows:

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

2. **Annexation.** The Property is hereby annexed to the Town of Monument, Colorado, and made a part of said Town.

3. **Condition of Annexation; Zoning Application.** Prior to 12:00 pm (noon) on the day before the effective date of this Ordinance, the Property owner shall initiate zoning proceedings to have the Property, exclusive of streets and roads, zoned Public Zone District by the Town. If Public Zone District zoning is not initiated by this deadline, this Ordinance shall be deemed to be void and withdrawn, and annexation of the Property denied, and the Town Clerk shall post notice in the Town's records that approval of this Ordinance was voided by failure to meet this condition of approval.

4. **Filings.** Within thirty (30) days after the effective date of this Ordinance, the Town Clerk shall:

- (a) File one copy of the annexation map with the original of this Annexation Ordinance in the office of the Clerk of the Town of Monument, Colorado.
- (b) File for recording three certified copies of this Annexation Ordinance and map of the area annexed containing a legal description of such area with the County Clerk and Recorder, with a written request that the Clerk and Recorder file one certified copy of such Annexation Ordinance and map with the Division of Local Government of the Department of Local Affairs and one certified copy of such Annexation Ordinance and Map with the Department of Revenue.

5. **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 official website in full for not less than ten (10) days.

6. **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.

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

8. **Headings.** The headings to the various sections and paragraphs to this Ordinance have been inserted solely for the convenience of the reader, are not a part of this Ordinance, and shall not be used in any manner to interpret this Ordinance.

9. **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 16th day of March, 2026 by a vote of ____ for and _____ against.

TOWN OF MONUMENT, COLORADO

By: _____
Mitch LaKind, Mayor

Attest:

Tina Erickson, Town Clerk

CERTIFICATE OF PUBLICATION

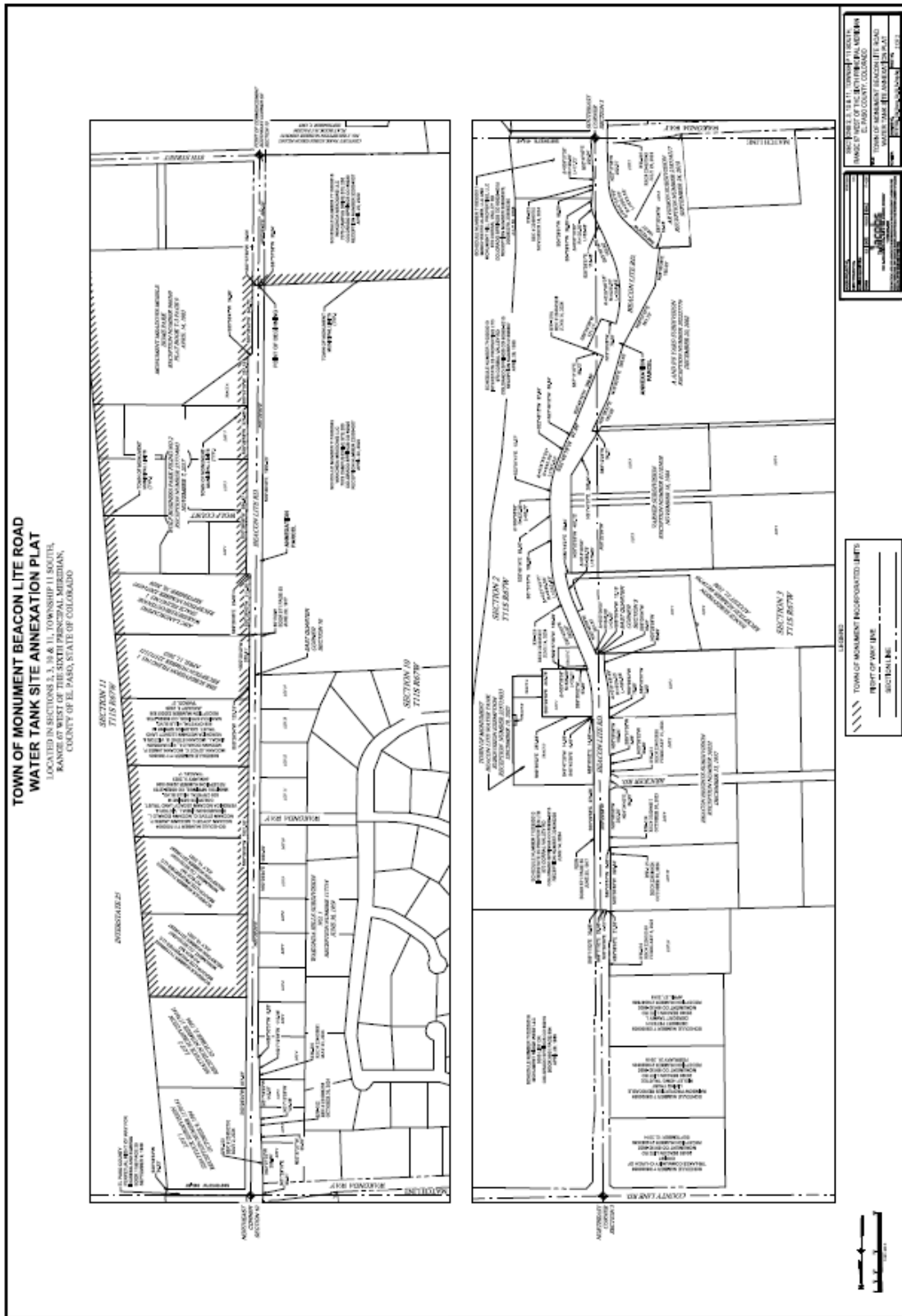
I, the duly qualified and Town Clerk of the Town of Monument, Colorado, do hereby certify the foregoing Ordinance No. __-2026 was approved by the Town Council of the Town of Monument at its *regular* meeting held on the 16th day of March, 2026, and was published on _____, 2026, on the Town’s official website for not less than ten (10) days, as shown on the Attached Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Monument, Colorado, this _____ day of _____, 2026.

Tina Erickson, Town Clerk

(S E A L)

EXHIBIT A ANNEXATION MAP (PAGE 2 OF 2)





MEMORANDUM

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

FROM: Dan Ungerleider, AICP, Director of Planning

DATE: March 16, 2026

SUBJECT: **Resolution No. 17-2026**, a Resolution Setting Forth Findings of Fact and Conclusions Regarding Proceedings for the Monument Beacon Lite Water Tank Site Annexation, and **Ordinance No. 04-2026**, an Ordinance Annexing Certain Lands Known as the Monument Beacon Lite Water Tank Site Annexation.

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.

On January 5, 2026, Council approved Resolution No. 02-2026, a Resolution Authorizing Filing of a Petition for the Annexation of the Monument Beacon Lite Road Water Tank Site. On February 2, 2026, Council approved Resolution No. 08-2026, a Resolution Initiating Annexation Proceedings for Monument Beacon Lite Road Water Tank Site Annexation and Finding the Petition for Annexation to be in Substantial Compliance Municipal Annexation Act Of 1965. Resolution No. 08-2026 also set the public hearing for tonight, March 16, 2026.

The subject of tonight's Public Hearing is on the Annexation Petition of properties consisting of a portion of Beacon Lite Road and the Beacon Lite Road Water Tank Site. As required, notice was published in The Gazette for four (4) consecutive weeks (2/21/2026, 2/28/2026, 3/7/2026 and 3/14/2026) and mailed to the Owners of property within 500 ft of the Annexation, and to the County, the County Attorney, and representatives of any underlying special districts and school districts.

As requested by the Town, the El Paso County Board of Commissioners has waived by resolution the requirement that the Town produce an Annexation Impact Report.

During tonight's public hearings, Staff is requesting Council consider and approve a resolution and an ordinance:

March 16, 2026

- Resolution No. 17-2026 is a resolution setting forth findings of fact and conclusions regarding proceedings for the Monument Beacon Lite Water Tank Site Annexation. As described by the proposed resolution, the Findings and conclusions are outlined in the resolution, Staff has outlined a base set of findings and inclusions required for annexation of properties as per the Municipal Annexation Act Of 1965.
- Ordinance No. 04-2026 is an ordinance annexing certain lands known as the Monument Beacon Lite Water Tank Site Annexation. With the Council’s approval, the Mayor, Town Clerk and the Planning Director will be authorized to sign the Plat of Annexation and have the Plat recorded by the El Paso County Records Office.

REQUESTED ACTIONS.

1. A motion to **APPROVE** Resolution No. 17-2026, a Resolution Setting Forth Findings Of Fact and Conclusions Regarding Proceedings for Certain Property Known as the Town of Monument Beacon Lite Road Water Tank Site Annexation.
2. A motion to **APPROVE** Ordinance No. 04-2026, an Ordinance Annexing Certain Lands Known as the Town of Monument Beacon Lite Road Water Tank Site Annexation.

Attachments.

1. Staff Presentation
2. Town of Monument Beacon Lite Road Water Tank Site Annexation Plat, dated 1/9/2026
3. Resolution No. 02-2026
4. Ordinance No. 04-2026

Staff Presentation

**BEACON LITE ROAD
WATER TANK SITE
ANNEXATION**
Findings & Annexation Hearing

Town Council – 03/16/2026

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 Road 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 3/16/2026 Town Council – Beacon Lite Road Water Tank Site Annexation

2

ANNEXATION PROCESS

1. 1/5/2026 - Resolution No. 02-2026, a Resolution Authorizing Filing of a Petition for the Annexation of the Monument Beacon Lite Road Water Tank Site.
2. 2/2/2026 – Resolution No. 08-2026, a Resolution Initiating Annexation Proceedings for Monument Beacon Lite Road Water Tank Site Annexation and Finding the Petition for Annexation to be in Substantial Compliance Municipal Annexation Act of 1965, and

setting a public hearing for tonight, 3/16/2026.



3

3/16/2026

Town Council – Beacon Lite Road Water Tank Site Annexation

3

Public Hearing Notice Petition for Annexation

The subject of tonight's Public Hearing is on the Annexation Petition of properties consisting of a portion of Beacon Lite Road and the Beacon Lite Road Water Tank Site. Notice was:

- Published in The Gazette for four (4) consecutive weeks (2/21/2026, 2/28/2026, 3/7/2026 and 3/14/2026); and
- Mailed to the Owners of property within 500 ft of the Annexation, and to the County, the County Attorney, and representatives of any underlying special districts and school districts.



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3/16/2026

Town Council – Beacon Lite Road Water Tank Site Annexation

4

ANNEXATION PROCESS (tonight)

3. 3/16/2026 – Resolution No. 17-2026, a Resolution Setting Forth Findings of Fact and Conclusions Regarding Proceedings for the Monument Beacon Lite Water Tank Site Annexation.
4. 3/16/2026 – Ordinance No. 04-2026, an Ordinance Annexing Certain Lands Known as the Monument Beacon Lite Water Tank Site Annexation.



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3/16/2026

Town Council – Beacon Lite Road Water Tank Site Annexation

5

Res. No. 17-2026 FINDINGS AND CONCLUSIONS

- One-Sixth Boundary Contiguity.
- No More than Three Miles from the Existing Town Boundary.
- A Community of Interest.
- An Urban Area.
- Integration with the Town.
- Landowners' Consent.
- Will Not Detach Property from the School District.
- No Petition for Annexation Election.
- No Additional Terms.
- Petition Signed by All Property Owners.
- Three Mile Plan in Place and Updated.
- County Waiver of Annexation Impact Report (3/16/2026).



6

3/16/2026

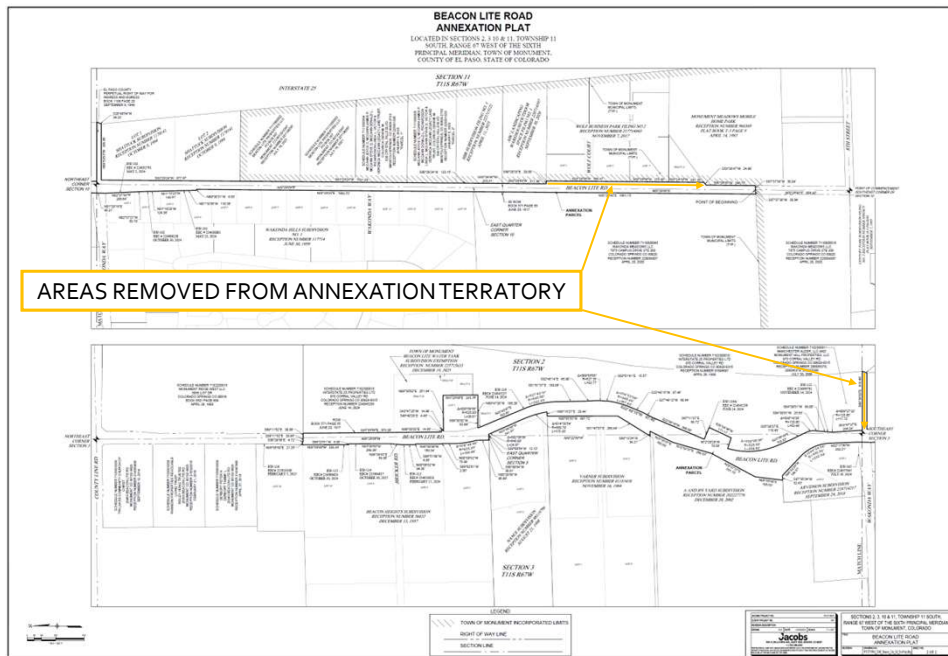
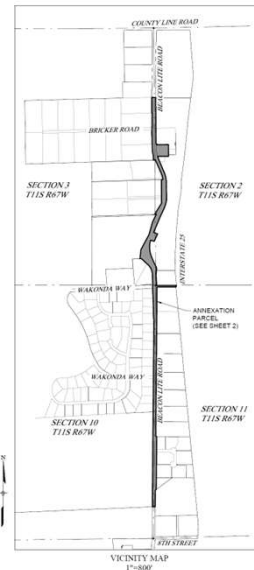
Town Council – Beacon Lite Road Water Tank Site Annexation

6

REQUESTED ACTIONS

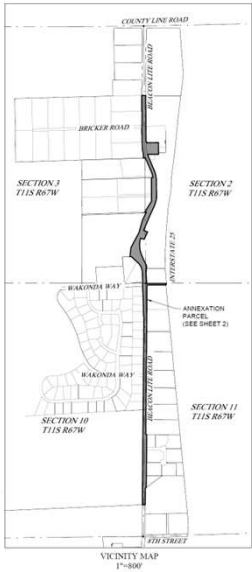
RESOLUTION NO. 17-2026

A motion to **APPROVE** Resolution No. 17-2026, a Resolution Setting Forth Findings of Fact and Conclusions Regarding Proceedings for Certain Property Known as the Town of Monument Beacon Lite Road Water Tank Site Annexation.



REQUESTED ACTIONS Resolution No. 17, 2026

A motion to **APPROVE** Ordinance No. 04-2026, an Ordinance Annexing Certain Lands Known as the Town of Monument Beacon Lite Road Water Tank Site Annexation.



TOWN OF MONUMENT BEACON LITE ROAD WATER TANK SITE ANNEXATION PLAT

LOCATED IN SECTIONS 2, 3, 10 & 11, TOWNSHIP 11 SOUTH,
RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF EL PASO, STATE OF COLORADO

PROPERTY OWNER'S CERTIFICATE:

Know all men by these presents, that the undersigned, being the Owner of certain lands in El Paso County, Colorado, described as follows:

LOT 1 OF TOWN OF MONUMENT BEACON LITE WATER TANK SUBDIVISION EXEMPTION RECORDED AT RECEPTION NUMBER 225715633 ON DECEMBER 19, 2025 AND A PARCEL OF LAND SITUATED IN SECTIONS 2, 3, 10, & 11, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 10, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN; THENCE NORTH 00°28'40" EAST, COINCIDENT WITH THE EAST LINE OF SAID SECTION, A DISTANCE OF 664.55 FEET TO THE TOWN OF MONUMENT LIMITS AND **THE POINT OF BEGINNING**;

THENCE SOUTH 87°37'38" WEST, COINCIDENT WITH SAID TOWN LIMITS, A DISTANCE OF 30.04 FEET TO THE WEST RIGHT OF WAY LINE OF BEACON LITE ROAD AS DESCRIBED IN BOOK 571 PAGE 55 RECORDED ON JUNE 20, 1917 IN THE OFFICE OF THE CLERK AND RECORDER OF EL PASO COUNTY;

THENCE NORTH 0°28'40" EAST, COINCIDENT WITH SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 1,991.13 FEET TO THE SOUTHEAST CORNER OF LOT 14 OF WAKONDA HILLS SUBDIVISION NO.1 RECORDED AT RECEPTION NUMBER 117714 ON JUNE 30, 1959;

THENCE NORTH 0°29'24" EAST, COINCIDENT WITH THE WEST RIGHT OF WAY LINE OF BEACON LITE ROAD AS SHOWN ON SAID SUBDIVISION, A DISTANCE OF 1,950.70 FEET TO THE SOUTHEAST CORNER OF EL PASO COUNTY PARCEL RW-101 RECORDED AT RECEPTION NUMBER 224038881 ON MAY 23, 2024;

THENCE NORTH 89°30'31" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID PARCEL RW-101, A DISTANCE OF 6.63 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL RW-101;

THENCE NORTH 1°19'36" WEST, COINCIDENT WITH THE WEST LINE OF SAID PARCEL RW-101, A DISTANCE OF 110.36 FEET;

THENCE NORTH 1°19'23" WEST, CONTINUING COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 142.91 FEET TO THE SOUTHWEST CORNER OF EL PASO COUNTY PARCEL RW-102 RECORDED AT RECEPTION NUMBER 224086238 ON OCTOBER 30, 2024;

THENCE NORTH 1°19'28" WEST, COINCIDENT WITH THE WEST LINE OF SAID PARCEL RW-102, A DISTANCE OF 124.38 FEET;

THENCE NORTH 2°37'27" WEST, CONTINUING COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 55.76 FEET TO THE SOUTHWEST CORNER OF EL PASO COUNTY PARCEL RW-103 RECORDED AT RECEPTION NUMBER 224032791 ON MAY 2, 2024;

THENCE NORTH 2°37'32" WEST, COINCIDENT WITH THE WEST LINE OF SAID PARCEL RW-103, A DISTANCE OF 208.64 FEET TO THE SOUTH RIGHT OF WAY LINE OF WAKONDA WAY AND THE NORTHWEST CORNER OF SAID PARCEL RW-103;

THENCE NORTH 1°29'18" EAST, A DISTANCE OF 90.21 FEET TO THE NORTH RIGHT OF WAY LINE OF WAKONDA WAY AND THE NORTHEAST CORNER OF EL PASO COUNTY PARCEL RW-105 RECORDED AT RECEPTION NUMBER 224057945 ON JULY 29, 2024;

THENCE COINCIDENT WITH THE WEST RIGHT OF WAY LINE OF BEACON LITE ROAD AS SHOWN ON ARVISON SUBDIVISION RECORDED AT RECEPTION NUMBER 218714217 ON SEPTEMBER 24, 2018 THE FOLLOWING THREE COURSES:

- 1) NORTH 2°17'36" WEST, TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 202.21 FEET;
- 2) ALONG THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF 44°24'56", A DISTANCE OF 232.56 FEET;
- 3) NORTH 46°42'24" WEST, TANGENT TO THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 184.01 FEET TO THE NORTHEAST CORNER OF LOT 2 OF SAID SUBDIVISION;

THENCE SOUTH 87°35'24" WEST, COINCIDENT WITH THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 32.43 FEET TO THE EAST LINE OF A AND B'S YARD SUBDIVISION RECORDED AT RECEPTION NUMBER 202227776 ON DECEMBER 20, 2002;

THENCE COINCIDENT WITH SAID EAST LINE THE FOLLOWING FOUR COURSES:

- 1) NORTH 6°55'36" EAST, A DISTANCE OF 195.03 FEET;
- 2) NORTH 28°07'37" EAST, A DISTANCE OF 351.70 FEET;
- 3) NORTH 15°52'37" EAST, A DISTANCE OF 280.53 FEET;
- 4) NORTH 25°55'37" EAST, A DISTANCE OF 180.05 FEET TO THE NORTHEAST CORNER OF SAID SUBDIVISION;

THENCE SOUTH 88°12'24" WEST, COINCIDENT WITH THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 34.21 FEET TO THE WEST RIGHT OF WAY LINE OF BEACON LITE ROAD AS SHOWN ON VARNER SUBDIVISION RECORDED AT RECEPTION NUMBER 01183438 ON NOVEMBER 16, 1984;

THENCE NORTH 31°47'07" EAST, COINCIDENT WITH SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 268.44 FEET;

THENCE NORTH 0°03'53" WEST, CONTINUING COINCIDENT WITH SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 497.72 FEET TO THE SOUTH LINE OF NANCE SUBDIVISION RECORDED AT RECEPTION NUMBER 98119796 ON AUGUST 21, 1998;

THENCE NORTH 88°15'27" EAST, COINCIDENT WITH SAID SOUTH LINE AND NON-TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 29.44 FEET TO THE SOUTHEAST CORNER OF SAID SUBDIVISION;

THENCE COINCIDENT WITH THE EAST LINE OF SAID SUBDIVISION THE FOLLOWING THREE COURSES:

- 1) ALONG THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 689.79 FEET, TO WHICH A RADIAL LINE BEARS SOUTH 80°44'58" WEST, A CENTRAL ANGLE OF 14°33'54", A DISTANCE OF 175.35 FEET;
- 2) NORTH 23°48'56" WEST, TANGENT TO THE PREVIOUSLY DESCRIBED CURVE AND TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 241.81 FEET;
- 3) ALONG THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 646.00 FEET, A CENTRAL ANGLE OF 2°08'05", A DISTANCE OF 24.07 FEET TO THE NORTHEAST CORNER OF SAID SUBDIVISION;

THENCE SOUTH 88°09'54" WEST, COINCIDENT WITH THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 12.13 FEET TO THE EAST QUARTER CORNER OF SECTION 3, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN;

THENCE SOUTH 88°09'54" WEST, CONTINUING COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 30.01 FEET TO THE SOUTHEAST CORNER OF BEACON HEIGHTS SUBDIVISION RECORDED AT RECEPTION NUMBER 56832 ON DECEMBER 13, 1957;

THENCE NORTH 0°29'58" WEST, COINCIDENT WITH THE EAST LINE OF SAID SUBDIVISION AND NON-TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 86.99 FEET TO THE SOUTH CORNER OF EL PASO COUNTY PARCEL RW-113 RECORDED AT RECEPTION NUMBER 224010818 ON FEBRUARY 15, 2024;

THENCE COINCIDENT WITH THE WEST LINE OF SAID PARCEL RW-113 THE FOLLOWING SIX COURSES:

- 1) ALONG THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 605.00 FEET, TO WHICH A RADIAL LINE BEARS NORTH 74°02'19" EAST, A CENTRAL ANGLE OF 15°48'49", A DISTANCE OF 166.98 FEET;
- 2) NORTH 0°08'52" WEST, TANGENT WITH THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 76.89 FEET;
- 3) SOUTH 89°02'01" WEST, A DISTANCE OF 2.00 FEET;
- 4) NORTH 0°09'39" WEST, A DISTANCE OF 189.34 FEET;
- 5) SOUTH 89°51'08" WEST, A DISTANCE OF 4.96 FEET;
- 6) NORTH 0°08'52" WEST, A DISTANCE OF 94.38 FEET;

THENCE NORTH 4°34'43" EAST, A DISTANCE OF 84.95 FEET TO THE WEST LINE OF EL PASO COUNTY PARCEL RW-114 RECORDED AT RECEPTION NUMBER 225094817 ON OCTOBER 30, 2025;

THENCE NORTH 00°08'50" WEST, COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 292.28 FEET TO THE SOUTH LINE OF EL PASO COUNTY PARCEL RW-115 RECORDED AT RECEPTION NUMBER 224086424 ON OCTOBER 30, 2024;

THENCE SOUTH 88°23'51" WEST, COINCIDENT WITH SAID SOUTH LINE, A DISTANCE OF 6.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL RW-115;

THENCE NORTH 0°08'48" WEST, COINCIDENT WITH THE WEST LINE OF SAID PARCEL RW-115, A DISTANCE OF 325.34 FEET TO THE NORTHWEST CORNER OF SAID PARCEL RW-115;

THENCE NORTH 88°58'50" EAST, COINCIDENT WITH THE NORTH LINE OF SAID PARCEL RW-115, A DISTANCE OF 21.35 FEET TO THE NORTHEAST CORNER OF SAID PARCEL RW-115;

THENCE SOUTH 0°29'58" EAST, COINCIDENT WITH THE EAST LINE OF SAID PARCEL RW-115, A DISTANCE OF 4.72 FEET;

THENCE SOUTH 89°11'52" EAST, A DISTANCE OF 29.96 FEET TO THE SECTION LINE COMMON TO SECTIONS 2 AND 3 OF TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN;

THENCE SOUTH 89°11'52" EAST, A DISTANCE OF 30.06 FEET TO THE EAST RIGHT OF WAY LINE OF BEACON LITE ROAD AS DESCRIBED IN BOOK 571 PAGE 55 RECORDED ON JUNE 20, 1917;

PROPERTY OWNER'S CERTIFICATE CONTINUED:

THENCE SOUTH 0°29'58" EAST, COINCIDENT WITH SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 974.56 FEET TO THE EAST RIGHT OF WAY LINE OF BEACON LITE ROAD AS SHOWN ON TOWN OF MONUMENT BEACON LITE WATER TANK SUBDIVISION EXEMPTION RECORDED AT RECEPTION NUMBER 225715633 ON DECEMBER 19, 2025;

THENCE COINCIDENT WITH SAID EAST RIGHT OF WAY LINE THE FOLLOWING THREE COURSES:

- 1) NORTH 89°30'02" EAST, A DISTANCE OF 14.66 FEET;
- 2) SOUTH 45°40'28" EAST, A DISTANCE OF 4.46 FEET;
- 3) SOUTH 43°47'25" WEST, A DISTANCE OF 14.98 FEET TO THE NORTH LINE OF LOT 1 OF SAID SUBDIVISION EXEMPTION;

THENCE NORTH 89°30'02" EAST, COINCIDENT WITH THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 251.84 FEET TO THE NORTHEAST CORNER OF SAID LOT 1;

THENCE SOUTH 00°29'58" EAST, COINCIDENT WITH THE EAST LINE OF SAID LOT 1, A DISTANCE OF 245.78 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1;

THENCE NORTH 89°47'25" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 168.29 FEET TO SAID EAST RIGHT OF WAY LINE;

THENCE SOUTH 89°30'02" WEST, COINCIDENT WITH SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 63.99 FEET TO THE NORTHEAST CORNER OF EL PASO COUNTY PARCEL 119 RECORDED AT RECEPTION NUMBER 224045237 ON JUNE 14, 2024;

THENCE COINCIDENT WITH THE EAST LINE OF SAID PARCEL RW-119 THE FOLLOWING FOUR COURSES:

- 1) ALONG THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 525.00 FEET, TO WHICH A RADIAL LINE BEARS NORTH 70°26'12" EAST, A CENTRAL ANGLE OF 03°09'58", A DISTANCE OF 29.01 FEET;
- 2) THENCE SOUTH 22°43'47" EAST, TANGENT TO THE PREVIOUSLY DESCRIBED CURVE AND TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 322.87 FEET;
- 3) ALONG THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 640.00 FEET, A CENTRAL ANGLE OF 21°42'11", A DISTANCE OF 242.43 FEET;
- 4) THENCE SOUTH 1°01'37" EAST, TANGENT TO THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 189.06 FEET TO THE EAST RIGHT OF WAY LINE OF BEACON LITE ROAD;

THENCE SOUTH 2°45'14" EAST, COINCIDENT WITH SAID EAST RIGHT OF WAY LINE AND TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 65.90 FEET;

THENCE CONTINUING COINCIDENT WITH SAID EAST RIGHT OF WAY ALONG THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 527.35 FEET, A CENTRAL ANGLE OF 9°06'05", A DISTANCE OF 83.77 FEET TO THE NORTH CORNER OF EL PASO COUNTY PARCEL RW-119A RECORDED AT RECEPTION NUMBER 224045238 ON JUNE 14, 2024;

THENCE COINCIDENT WITH THE EAST LINE OF SAID PARCEL RW-119A THE FOLLOWING THIRTEEN COURSES:

- 1) SOUTH 2°01'41" EAST, NON-TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 15.57 FEET;
- 2) ALONG THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 646.00 FEET, TO WHICH A RADIAL LINE BEARS NORTH 82°04'50" WEST, A CENTRAL ANGLE OF 14°53'08", A DISTANCE OF 167.83 FEET;
- 3) SOUTH 22°48'15" WEST, TANGENT TO THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 97.46 FEET;
- 4) SOUTH 27°49'12" WEST, A DISTANCE OF 68.64 FEET;
- 5) SOUTH 22°48'16" WEST, A DISTANCE OF 399.88 FEET;
- 6) SOUTH 67°11'37" EAST, A DISTANCE OF 89.72 FEET;
- 7) SOUTH 25°04'36" WEST, A DISTANCE OF 171.11 FEET;
- 8) NORTH 72°20'28" WEST, NON-TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 79.58 FEET;
- 9) ALONG THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 525.00 FEET, TO WHICH A RADIAL LINE BEARS SOUTH 73°58'43" EAST, A CENTRAL ANGLE OF 39°09'36", A DISTANCE OF 358.82 FEET;
- 10) SOUTH 23°08'19" EAST, TANGENT TO THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 102.82 FEET;
- 11) SOUTH 25°38'37" EAST, TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 118.48 FEET;
- 12) ALONG THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 30°18'30", A DISTANCE OF 63.48 FEET;
- 13) SOUTH 4°39'51" WEST, TANGENT WITH THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 25.55 FEET TO THE NORTHEAST CORNER OF EL PASO COUNTY PARCEL RW-122 RECORDED AT RECEPTION NUMBER 224090781 ON NOVEMBER 14, 2024;

THENCE COINCIDENT WITH THE EAST LINE OF SAID PARCEL RW-122 THE FOLLOWING 3 COURSES:

- 1) SOUTH 4°39'51" WEST, TANGENT TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 88.00 FEET;
- 2) ALONG THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 8°27'32", A DISTANCE OF 17.72 FEET;
- 3) SOUTH 3°47'37" EAST, TANGENT TO THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 204.54 FEET TO THE SOUTH LINE OF A PARCEL OF LAND RECORDED AT RECEPTION NUMBER 208085378 ON JULY 30, 2008;

THENCE SOUTH 89°59'53" EAST, COINCIDENT WITH SAID SOUTH LINE, A DISTANCE OF 415.48 FEET;

THENCE SOUTH 20°48'54" WEST, A DISTANCE OF 34.23 FEET TO THE NORTHEAST CORNER OF SHATTUCK SUBDIVISION RECORDED AT RECEPTION NUMBER 1170141 ON OCTOBER 9, 1984;

THENCE NORTH 89°59'53" WEST, COINCIDENT WITH THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 395.88 FEET TO THE NORTHWEST CORNER OF SAID SUBDIVISION;

THENCE SOUTH 0°29'24" WEST, COINCIDENT WITH WEST LINE OF SAID SUBDIVISION, A DISTANCE OF 977.97 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION;

THENCE COINCIDENT WITH SAID TOWN LIMITS THE FOLLOWING TEN COURSES:

- 1) SOUTH 0°29'24" WEST, COINCIDENT WITH THE EAST RIGHT OF WAY LINE OF BEACON LITE ROAD AS DESCRIBED IN BOOK 571 PAGE 55 RECORDED ON JUNE 20, 1917, A DISTANCE OF 1521.55 FEET TO THE NORTHWEST CORNER OF SBR SUBDIVISION FILING NO. 1 RECORDED AT RECEPTION NUMBER 223715121 ON APRIL 11, 2023;
- 2) SOUTH 0°29'24" WEST, COINCIDENT WITH THE WEST LINE OF SAID SUBDIVISION, A DISTANCE OF 123.15 FEET;
- 3) SOUTH 0°28'40" WEST, CONTINUING COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 203.41 FEET TO THE NORTHWEST CORNER OF ABC LANDSCAPING WAREHOUSE/OUTDOOR SPACE FILING NO. 1 RECORDED AT RECEPTION NUMBER 220714597 ON SEPTEMBER 30, 2020;
- 4) SOUTH 0°28'40" WEST, COINCIDENT WITH THE WEST LINE OF SAID ABC LANDSCAPING WAREHOUSE/OUTDOOR SPACE FILING NO. 1, A DISTANCE OF 311.38 FEET TO THE SOUTHEAST CORNER OF SAID ABC LANDSCAPING WAREHOUSE/OUTDOOR SPACE FILING NO. 1;
- 5) SOUTH 89°29'33" EAST, COINCIDENT WITH THE SOUTH LINE OF SAID ABC LANDSCAPING WAREHOUSE/OUTDOOR SPACE FILING NO. 1, A DISTANCE OF 20.00 FEET TO THE NORTHEAST CORNER OF TRACT A OF WOLF BUSINESS PARK RECORDED AT RECEPTION NUMBER 202083355 ON MAY 22, 2002;
- 6) SOUTH 0°29'58" WEST, COINCIDENT WITH THE EAST LINE OF SAID TRACT A, A DISTANCE OF 584.47 FEET TO THE NORTHEAST CORNER OF TRACT B OF WOLF BUSINESS PARK FILING NO. 2 RECORDED AT RECEPTION NUMBER 217744043 ON NOVEMBER 7, 2017;
- 7) SOUTH 0°29'58" WEST, COINCIDENT WITH THE EAST LINE OF SAID TRACT B, A DISTANCE OF 275.95 FEET TO THE SOUTHWEST CORNER OF LOT 7 OF SAID WOLF BUSINESS PARK FILING NO. 2;
- 8) SOUTH 0°24'19" WEST, CONTINUING COINCIDENT WITH THE EAST LINE OF SAID TRACT B, A DISTANCE OF 251.18 FEET TO THE NORTH LINE OF MONUMENT MEADOWS MOBILE HOME PARK RECORDED AT RECEPTION NUMBER 966369 ON APRIL 14, 1983;
- 9) SOUTH 53°36'47" WEST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 24.99 FEET TO THE NORTHWEST CORNER OF SAID MONUMENT MEADOWS MOBILE HOME PARK;
- 10) SOUTH 0°28'40" WEST, COINCIDENT WITH THE WEST LINE OF SAID MONUMENT MEADOWS MOBILE HOME PARK, A DISTANCE OF 346.75 FEET;

THENCE SOUTH 87°37'38" WEST, A DISTANCE OF 30.04 FEET TO **THE POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS 806,812 SQUARE FEET (18,522 ACRES), MORE OR LESS.

Do hereby request annexation to the Town of Monument, the above-described parcel of land.

Executed this ___ day of _____, 2026.

Owner(s) _____ Owner(s) _____

GENERAL NOTES:

1. THIS ANNEXATION PLAT DOES NOT REPRESENT A MONUMENTED LAND SURVEY NOR A LAND SURVEY PLAT. ALL INFORMATION SHOWN HEREON WAS TAKEN FROM PUBLIC RECORDS.
2. DATE OF PREPARATION: AUGUST 15, 2025 - DECEMBER 19, 2025
3. UNITS: US SURVEY FEET
4. BEARINGS ARE BASED ON THE NORTH-SOUTH SECTION LINE BETWEEN THE SOUTHEAST CORNER AND THE EAST QUARTER CORNER OF SECTION 10, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN ASSUMED TO BEAR NORTH 00°28'40" EAST.
5. THE TOWN OF MONUMENT INCORPORATED LIMITS SHOWN HEREON ARE BASED ON A GIS SHAPE FILE RECEIVED FROM THE TOWN OF MONUMENT PLANNING DEPARTMENT ON JANUARY 24, 2025.
6. NO FIELD WORK WAS REQUIRED FOR THIS ANNEXATION PLAT.

CONTIGUITY CALCULATIONS:

Boundary Perimeter = 19355.87 Linear Feet
Contiguous Boundary = 3722.90 Linear Feet
Actual Contiguity = 1/5 or 19%
Minimum Contiguity = 1/6 or 17%
Area of Parcel = 18.522 Acres +/-

TOWN APPROVAL:

Pursuant to an ordinance made and adopted by the Town of Monument, El Paso County, Colorado this ___ day of _____, 2026.

Mayor _____ Date _____
Town Clerk _____ Date _____

PLANNING DEPARTMENT:

This annexation plat was reviewed by the Town of Monument Planning Department this ___ day of _____, 2026.

Planning Director _____

CLERK AND RECORDER'S CERTIFICATE:

State of Colorado)
) ss.
County of El Paso)
I hereby certify this instrument was filed for record in my office at _____ o'clock _____m, this ___ day of _____, 2026 and is duly recorded under Reception Number _____ of the records of El Paso County, Colorado.

Steve Schlieker, Clerk and Recorder
By: _____
Its: _____
Fee: _____
Surcharge: _____

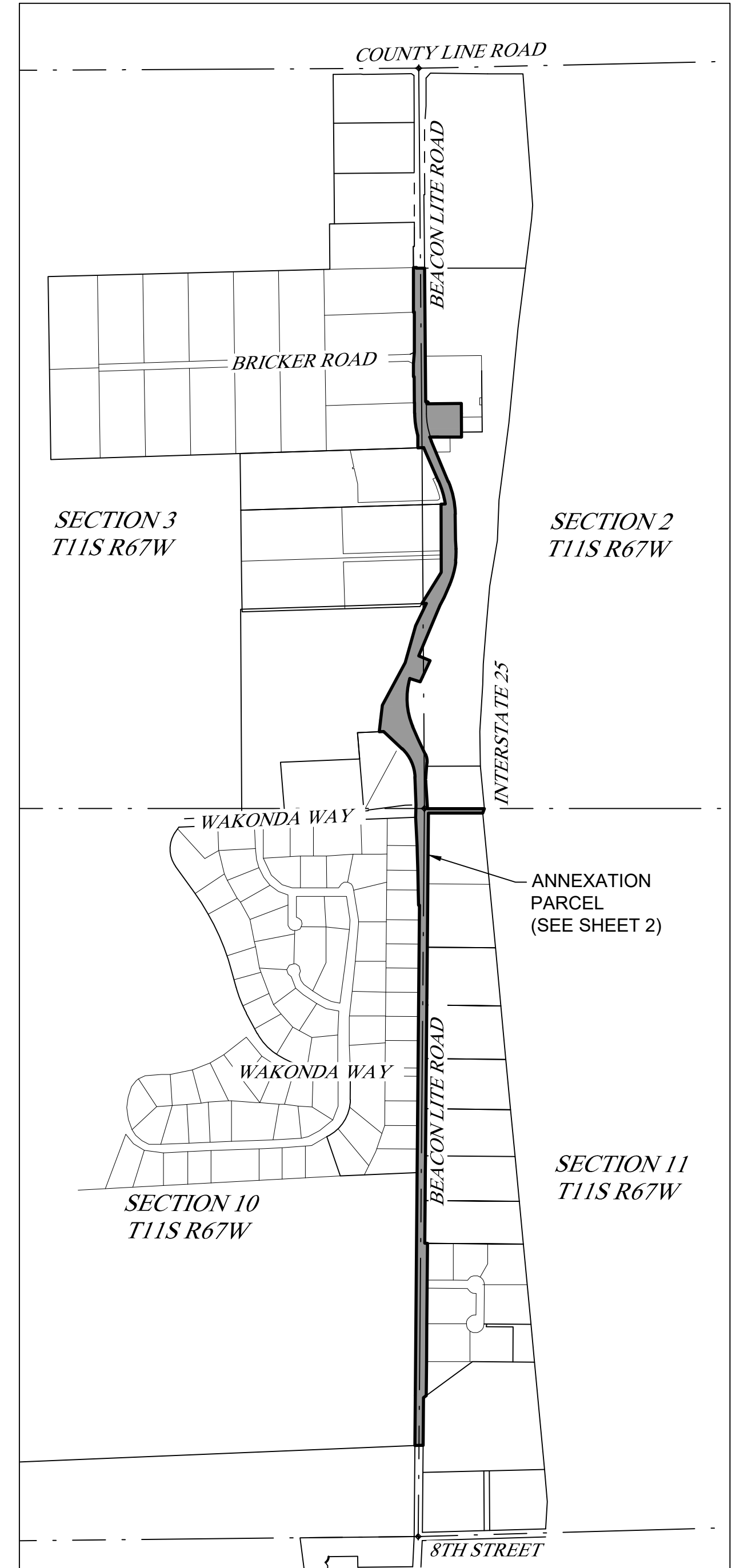
STATE OF COLORADO)
) ss.
COUNTY OF _____)
Signed before me on ___ day of _____, 2026, by _____

Notary Signature _____
My Commission Expires: _____

SURVEYOR'S CERTIFICATE:

I, Edward C. Silver, a Professional Land Surveyor in the State of Colorado, do hereby certify that this annexation plat was made under my direct supervision and said plat accurately represents the described parcel of land, to the best of my knowledge and belief.

Edward C. Silver PLS No. 37051
For and on behalf of
Jacobs Engineering Group Inc.

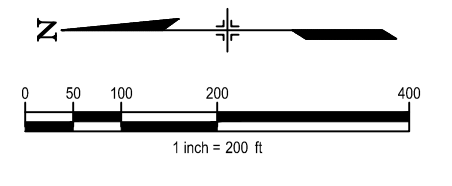
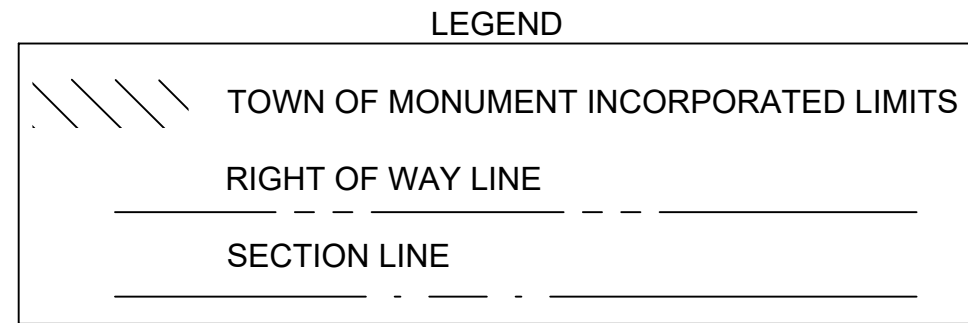
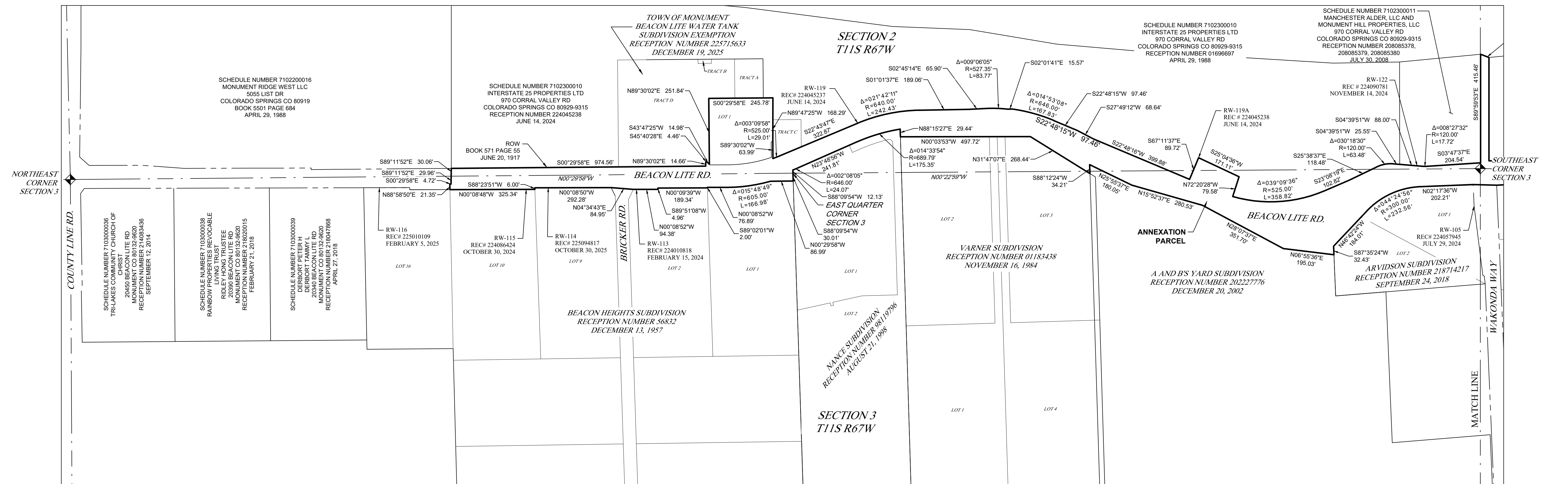
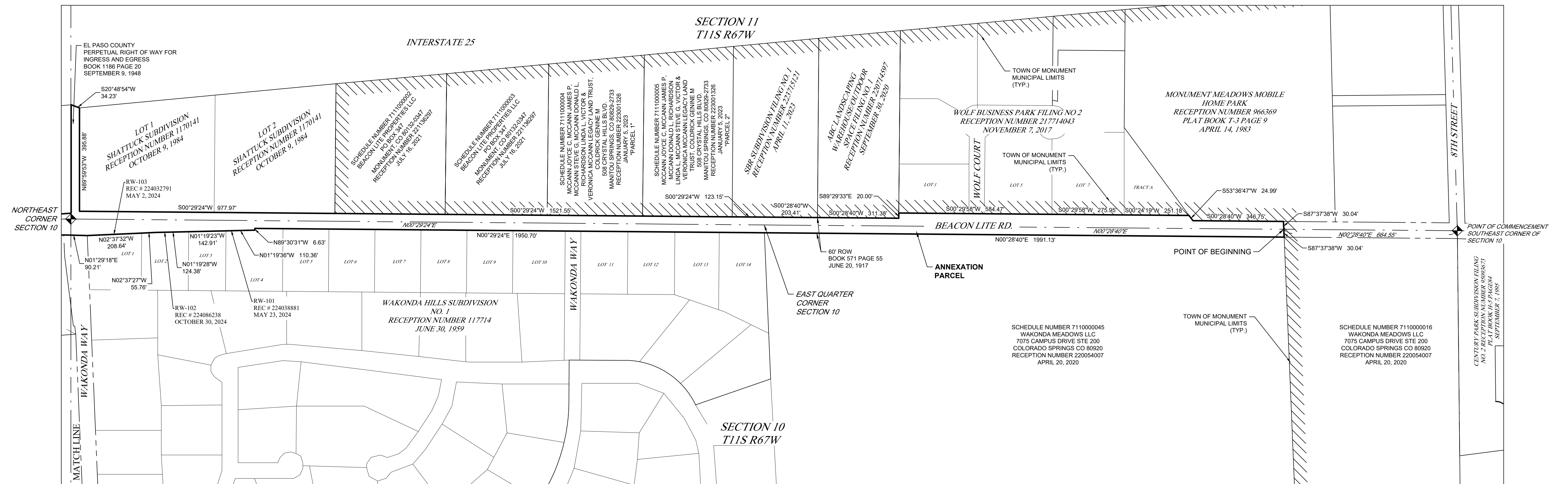


VICINITY MAP
1"=800'

JACOBS PROJECT NO. WYX1990	CLIENT PROJECT NO. N/A
REVISION DESCRIPTION	DATE
DRAWN	S.S. DATE 19/02/08 SCALE N/A
Jacobs 7001 E. BELLEVUE AVE., SUITE 1000, DENVER, CO 80237 +1 (720) 286-2000	
THIS MATERIAL AND ANY ASSOCIATED ELECTRONIC DATA WAS PREPARED BY JACOBS FOR THE PROJECT INDICATED. ANY REUSE OR MODIFICATION WITHOUT THE WRITTEN CONSENT OF JACOBS SHALL BE AT THE SOLE RISK OF THE USER.	
TITLE: SECTIONS 2, 3, 10 & 11, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO	TITLE: TOWN OF MONUMENT BEACON LITE ROAD WATER TANK SITE ANNEXATION PLAT
REVISION: WYX1990_T01_Beacon_Lite_Rd_Water_Tank	SHEET NO. 1 OF 2

TOWN OF MONUMENT BEACON LITE ROAD WATER TANK SITE ANNEXATION PLAT

LOCATED IN SECTIONS 2, 3, 10 & 11, TOWNSHIP 11 SOUTH,
RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF EL PASO, STATE OF COLORADO



<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: 8px;">JACOBS PROJECT NO.</td> <td style="font-size: 8px;">WVY1990</td> </tr> <tr> <td style="font-size: 8px;">CLIENT PROJECT NO.</td> <td style="font-size: 8px;">N/A</td> </tr> <tr> <td style="font-size: 8px;">REVISION DESCRIPTION</td> <td style="font-size: 8px;"></td> </tr> <tr> <td style="font-size: 8px;">DRAWN</td> <td style="font-size: 8px;">S.S. DATE 10/20/24 SCALE 1" = 200'</td> </tr> </table> <p style="text-align: center; font-weight: bold; font-size: 12px;">Jacobs</p> <p style="font-size: 8px;">7001 E. BELLEVUE AVE., SUITE 1000, DENVER, CO 80237 +1 (720) 286-2000</p> <p style="font-size: 8px;">THIS MATERIAL AND ANY ASSOCIATED ELECTRONIC DATA WAS PREPARED BY JACOBS FOR THE PROJECT INDICATED. ANY REUSE OR MODIFICATION WITHOUT THE WRITTEN CONSENT OF JACOBS SHALL BE AT THE USER'S RISK OF THE USER.</p>	JACOBS PROJECT NO.	WVY1990	CLIENT PROJECT NO.	N/A	REVISION DESCRIPTION		DRAWN	S.S. DATE 10/20/24 SCALE 1" = 200'	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center; font-weight: bold;">SECTIONS 2, 3, 10 & 11, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN EL PASO COUNTY, COLORADO</td> </tr> <tr> <td colspan="2" style="text-align: center;">TOWN OF MONUMENT BEACON LITE ROAD WATER TANK SITE ANNEXATION PLAT</td> </tr> <tr> <td style="font-size: 8px;">REVISION:</td> <td style="font-size: 8px;">DRAWING NO. WVY1990-TM_Beacon_Lite_Rd_E-Prop.dwg</td> </tr> <tr> <td style="font-size: 8px;">SHEET NO.</td> <td style="font-size: 8px;">2 OF 2</td> </tr> </table>	SECTIONS 2, 3, 10 & 11, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN EL PASO COUNTY, COLORADO		TOWN OF MONUMENT BEACON LITE ROAD WATER TANK SITE ANNEXATION PLAT		REVISION:	DRAWING NO. WVY1990-TM_Beacon_Lite_Rd_E-Prop.dwg	SHEET NO.	2 OF 2
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REVISION:	DRAWING NO. WVY1990-TM_Beacon_Lite_Rd_E-Prop.dwg																
SHEET NO.	2 OF 2																

**TOWN OF MONUMENT, COLORADO
TOWN COUNCIL**

RESOLUTION NO. 17-2026

**A RESOLUTION SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS
REGARDING PROCEEDINGS FOR CERTAIN PROPERTY KNOWN AS THE
TOWN OF MONUMENT BEACON LITE ROAD WATER TANK SITE
ANNEXATION**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF
MONUMENT, COLORADO, as follows:

The Town Council hereby sets forth its findings of fact and conclusions based thereon with respect to the Petition for Annexation (“Petition”) of land commonly known as the Town of Monument Beacon Lite Road Water Tank Site, based on the evidence contained in the official file, the official records of the Town of Monument, Colorado, and the evidence produced at the public hearing held on the 16th day of March, 2026.

FINDINGS OF FACT

1. The Town Council adopted Resolution No. 08-2026, finding the Petition and the annexation map attached thereto, of the land described therein, and incorporated herein (the “Property”), and also known as the Town of Monument Beacon Lite Road Water Tank Site Annexation, to be eligible for annexation and in substantial compliance with Section 31-12-107(1), C.R.S.

2. On the 16th day of March, 2026, the Town Council completed a hearing pursuant to Section 31-12-109, C.R.S., to determine if the proposed annexation complies with Section 30 of Article II of the Colorado Constitution and Sections 31-12-104 and 31-12-105, C.R.S., at which time any person was allowed to appear and present evidence regarding the proposed annexation.

3. Proper notice of this hearing was given in accordance with Section 31-12-108 C.R.S. as follows:

(a) The Town Clerk has published a copy of Resolution No. 08-2026 together with a notice that, on the given date and at the given time and place set by the Town Council, the Town Council shall hold a hearing upon Resolution No. 17-2026 for the purpose of determining and finding whether the area proposed to be annexed meets the applicable requirements of Section 30 of Article II of the Colorado Constitution and Sections 31-12-104 and 31-12-105 C.R.S. and is considered eligible for annexation.

(b) Said notice was published on February 21, 2026, February 28, 2026, March 7, 2026, and March 14, 2026, in the Tri Lakes Tribune newspaper, a newspaper of general circulation in the area proposed to be annexed. The proof of publication of the notice and Resolution No. 08-2026, or the summary thereof, have been returned together with the certificate of the owner, editor, or manager of the Tri Lakes Tribune newspaper.

(c) Copies of the published notice, Resolution No. 08-2026 and the Petition were also mailed as provided in Section 31-12-108(2), C.R.S.

(d) The Town Clerk has also provided notice to abutting property owners as specified in Sections 31-12-105(e.1) and (e.3), C.R.S.

4. The requirements of the applicable parts of Sections 31-12-104 and 31-12-105, C.R.S., have been met, including the following:

(a) Not less than one-sixth (1/6th) of the perimeter of the Property is contiguous with the Town, as can be seen from the annexation map and as substantiated by the testimony.

(b) A community of interest exists between the Property and the Town, due to the one-sixth contiguity between the Property and the existing Town boundary, the proximity of the Property to the Town, the desires of the owners to annex and existing Town services in the area.

(c) The Property is urban or will be urbanized in the near future and is already substantially integrated with and is capable of being fully integrated with the Town, based on the one-sixth contiguity between the Property and the existing Town boundary. A majority of the adult residents in the area immediately adjacent to the Property are Town residents or already make use of the recreational, civic, social, religious, industrial and commercial facilities of the Town. The Property is not currently in agricultural use, and the owners of the Property have not expressed, under oath, an intention to devote the land to agricultural use for a period of not less than five years.

(d) It is practical to extend Town services to the area on the same terms and conditions on which services are available to Town citizens generally.

(e) No land held in identical ownership has been divided into separate parts without the written consent of the owner. No land comprising 20 acres or more with a valuation of over \$200,000 has been included without written consent. No annexation proceedings concerning the Property have been commenced by any other municipality.

(f) This annexation will not result in any detachment of area from the Lewis-Palmer School District #38. No part of the Property extends any more than three miles from the existing Town boundaries. The Town has in place an annexation plan as required by Section 31-12-105, C.R.S.

(g) The entire width of any platted street or alley to be annexed is included within the Property.

(h) Access shall be allowed to annexed portions of any platted street or alley to the owners of unincorporated property adjoining any annexed street or alley, to the owner of an easement, or to the owner of a franchise, on a reasonable basis.

5. No petition for annexation election has been submitted, and an election is not required pursuant to Section 31-12-107(2), C.R.S.

6. The Town Council has determined that an additional term and condition of annexation as set forth below regarding zoning, will be imposed.

7. The Petition was signed by landowners of one hundred percent (100%) of the Property exclusive of streets and alleys, and land owned by the Town.

CONCLUSIONS

1. The Property is eligible for annexation to the Town pursuant to applicable parts of Section 31-12-104, C.R.S., and should be so annexed.

2. None of the limitations of Section 31-12-105, C.R.S., applies to restrict annexation.

3. An election is not required under Section 31-12-107(2), C.R.S.; said area may be annexed by Ordinance pursuant to Section 31-12-111, C.R.S.

4. Following the adoption of this resolution and prior to 12:00 pm (noon) on the day before the effective date of an ordinance annexing the Property, the Property owner shall initiate zoning proceedings to have the Property, exclusive of streets and roads, zoned Public Zone District by the Town. If Public Zone District zoning is not initiated by 12:00 pm (noon) on the day before the effective date of an ordinance annexing the Property, any annexation Ordinance shall be deemed to be void and withdrawn, and annexation of the Property denied.

ADOPTED by a vote of ____ in favor and ____ against, this 16th day of March, 2026.

TOWN OF MONUMENT

By:

Mitch LaKind, Mayor

Attest:

Tina Erickson, Town Clerk

I hereby certify that the above Resolution was introduced to and approved by the Town Council of the Town of Monument at its meeting of March 16, 2026.

By:

Tina Erickson, Town Clerk

TOWN OF MONUMENT, COLORADO

TOWN COUNCIL

**ORDINANCE NO. 04-2026
(SERIES 2026)**

**AN ORDINANCE ANNEXING CERTAIN LANDS KNOWN AS THE TOWN OF
MONUMENT BEACON LITE ROAD WATER TANK SITE ANNEXATION**

WHEREAS, a Petition for Annexation (“Petition”) of land known as the Town of Monument Beacon Lite Road Water Tank Site Annexation, described on the annexation map attached hereto as Exhibit A and incorporated herein by this reference (“Property”), has been filed with and submitted to the Town of Monument; and

WHEREAS, the Town Council has adopted Resolution No. 08-2026, Initiating Annexation Proceedings for Certain Property to be known as the Town of Monument Beacon Lite Road Water Tank Site Annexation, and Finding the Petition to be in Substantial Compliance with Section 31-12-107, C.R.S.; and

WHEREAS, all applicable requirements of the Municipal Annexation Act of 1965 have been fulfilled; and

WHEREAS, a public hearing on this Ordinance was held on the 16th day of March, 2026, at 6:30 p.m. at the Town Council Chambers, 645 Beacon Lite Road, Monument, Colorado; and

WHEREAS, at the public hearing the Town Council received evidence and adopted Resolution No. 17-2026 setting forth findings of fact and conclusions regarding the Town of Monument Beacon Lite Road Water Tank Site Annexation; and

WHEREAS, the Property is eligible for annexation in accordance with the Municipal Annexation Act of 1965; and

WHEREAS, the Town Council does hereby find and determines that it is in the best interests of the Town to annex the Property to the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MONUMENT, COLORADO, as follows:

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

2. **Annexation.** The Property is hereby annexed to the Town of Monument, Colorado, and made a part of said Town.

3. **Condition of Annexation; Zoning Application.** Prior to 12:00 pm (noon) on the day before the effective date of this Ordinance, the Property owner shall initiate zoning proceedings to have the Property, exclusive of streets and roads, zoned Public Zone District by the Town. If Public Zone District zoning is not initiated by this deadline, this Ordinance shall be deemed to be void and withdrawn, and annexation of the Property denied, and the Town Clerk shall post notice in the Town's records that approval of this Ordinance was voided by failure to meet this condition of approval.

4. **Filings.** Within thirty (30) days after the effective date of this Ordinance, the Town Clerk shall:

- (a) File one copy of the annexation map with the original of this Annexation Ordinance in the office of the Clerk of the Town of Monument, Colorado.
- (b) File for recording three certified copies of this Annexation Ordinance and map of the area annexed containing a legal description of such area with the County Clerk and Recorder, with a written request that the Clerk and Recorder file one certified copy of such Annexation Ordinance and map with the Division of Local Government of the Department of Local Affairs and one certified copy of such Annexation Ordinance and Map with the Department of Revenue.

5. **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 official website in full for not less than ten (10) days.

6. **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.

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

8. **Headings.** The headings to the various sections and paragraphs to this Ordinance have been inserted solely for the convenience of the reader, are not a part of this Ordinance, and shall not be used in any manner to interpret this Ordinance.

9. **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 16th day of March, 2026 by a vote of ____ for and _____ against.

TOWN OF MONUMENT, COLORADO

By: _____
Mitch LaKind, Mayor

Attest:

Tina Erickson, Town Clerk

CERTIFICATE OF PUBLICATION

I, the duly qualified and Town Clerk of the Town of Monument, Colorado, do hereby certify the foregoing Ordinance No. __-2026 was approved by the Town Council of the Town of Monument at its *regular* meeting held on the 16th day of March, 2026, and was published on _____, 2026, on the Town’s official website for not less than ten (10) days, as shown on the Attached Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Monument, Colorado, this _____ day of _____, 2026.

Tina Erickson, Town Clerk

(S E A L)



MEMORANDUM

TO: Mayor LaKind and Council
Madeline VanDenHoek, Town Manager

FROM: Dan Ungerleider, Planning Director

DATE: March 16, 2026

SUBJECT: Ordinance No. 05-2026 – An Ordinance Repealing and Readopting Chapter 15.12 of the Monument Municipal Code and Adopting the International Fire Code, The Colorado Wildfire Resiliency Code, and All Local Amendments

BACKGROUND. At the February 17, 2026, Town Council meeting, the MFD Division Chief presented the proposed adoption of the 2021 International Fire Code (IFC) with local amendments and the Colorado Wildfire Resiliency Code. The MFD Board has already adopted both through Resolution 2026-01 (Attachment 1); Town adoption is the next step and will authorize MFD to enforce the fire code within the Town of Monument.

The 2021 IFC is being adopted regionally by at least 17 fire departments, aligning the fire code cycle with the regional building code to improve consistency for plan reviewers, inspectors, and developers. Local amendments primarily address lithium-ion battery safety, solar and other energy systems, and requirements for emergency access and firefighting water supply.

The Colorado Wildfire Resiliency Code must be adopted by April 1, 2026, with enforcement beginning July 1, 2026. The State adopted the code to address wildfire related safety risks and property losses. All land in Colorado is classified as outside the Wildland Urban Interface (WUI), Class 1 WUI, or Class 2 WUI. Class 1 areas have fewer vegetation and building material requirements; Class 2 areas have the most. Monument contains areas in all three categories.

MFD expects developers will need to adjust landscaping and select certain building materials accordingly, but these changes should not significantly affect overall development processes.

REQUESTED ACTION. Chapter 15.12 establishes that the Town automatically adopts Fire Code Regulations as adopted and amended from time to time by the MFD. Similar to other sections of the Municipal Code, Chapter 15.12 contains inconsistencies to the Town Charter. The Chapter also contains obsolete references to regulations no longer being used by the Town and the MFD, and Local Amendments that are now directly addressed by the 2021 International Fire Code or by the amendments adopted by resolution by the MFD.

As a result, Staff is taking this opportunity to revise Chapter 15.12 in its entirety to better define its purpose, maintain the Town’s intent of delegating regulation authority to the MFD, and remove obsolete and conflicting text references. Exhibit A of the attached Ordinance 05-2026 has been drafted to provide Chapter 15.12 with sections describing its purpose, relative definitions, adoption of fire and wildfire codes, automatic adoption of code updates, conflict resolution, and availability of regulations on file. This amendment is consistent with those amendments being conducted or proposed in other parts of the Municipal Code.

FISCAL IMPACT. No direct fiscal impact is anticipated as a result of the proposed amendments to Chapter 15.12.

STRATEGIC PRIORITIES. The Council has established **Enabling Responsible Community Development** as a strategic priority for 2026–2028, emphasizing the importance of clear, consistent, and accountable plans, processes, and procedures that foster positive conditions for thoughtful, sustainable, and enduring growth within the community. This requested code amendment is consistent with this strategic priority.

RECOMMENDED ACTION.

A motion to **APPROVE** Ordinance No. 05-2026, An Ordinance Repealing and Readopting Chapter 15.12 of the Monument Municipal Code and Adopting the International Fire Code, The Colorado Wildfire Resiliency Code, and All Local Amendments

Attachments:

1. Monument Fire District Resolution No. 2026-03
2. Ordinance No. 05-2026, an ordinance repealing and readopting Chapter 15.12 – Fire Codes Adopted of the Monument Municipal Code.

RESOLUTION NO. 2026-03
A RESOLUTION ADOPTING THE 2021 INTERNATIONAL FIRE CODE
PROMULGATED BY THE INTERNATIONAL CODE COUNCIL, WITH AMENDMENTS,
AND THE COLORADO WILDFIRE RESILIENCY CODE

WHEREAS, THE TRI-LAKES MONUMENT FIRE PROTECTION DISTRICT D/B/A MONUMENT FIRE DISTRICT ("DISTRICT") IS A QUASI-MUNICIPAL CORPORATION AND POLITICAL SUBDIVISION OF THE STATE OF COLORADO AND A DULY ORGANIZED AND EXISTING SPECIAL DISTRICT PURSUANT TO TITLE 32, COLORADO REVISED STATUTES AND PROVIDING FIRE PROTECTION AND RESCUE SERVICES FOR ITS INHABITANTS AND VISITORS; AND

WHEREAS, §32-1-1002(1)(D), C.R.S., AUTHORIZES A FIRE PROTECTION DISTRICT TO ADOPT AND ENFORCE FIRE CODES AND STANDARDS FOR THE PROTECTION OF LIFE AND PROPERTY, PROVIDED THAT NO SUCH CODE SHALL APPLY WITHIN ANY MUNICIPALITY OR UNINCORPORATED PORTION OF A COUNTY UNLESS THE GOVERNING BODY OF THE MUNICIPALITY OR COUNTY ADOPTS A RESOLUTION AUTHORIZING ITS APPLICATION; AND

WHEREAS, THE DISTRICT LIES WITHIN THE BOUNDARIES OF THE TOWN OF MONUMENT, COLORADO AND UNINCORPORATED PORTIONS OF EL PASO COUNTY, COLORADO; AND

WHEREAS, THE BOARD HAS FURTHER REVIEWED THE COLORADO WILDFIRE RESILIENCY CODE ("CWRC"), DEVELOPED PURSUANT TO STATE STATUTE AS A COMPREHENSIVE WILDFIRE RISK-REDUCTION AND WILDLAND URBAN INTERFACE ("WUI") REGULATORY CODE, AND DETERMINED THAT ADOPTION OF THE CWRC IS NECESSARY TO ENHANCE COMMUNITY RESILIENCE, REDUCE WILDFIRE RISK, AND ENSURE SOUND MITIGATION, CONSTRUCTION, AND VEGETATION MANAGEMENT PRACTICES WITHIN THE DISTRICT; AND

WHEREAS, THE BOARD FINDS THAT ADOPTING BOTH THE 2021 INTERNATIONAL FIRE CODE AS PROMULGATED BY THE INTERNATIONAL CODE COUNCIL ("2021 IFC") AND THE CWRC WILL ALIGN THE DISTRICT WITH REGIONAL FIRE CODE STANDARDS ESTABLISHED THROUGH COLLABORATIVE WORK BY THE EL PASO COUNTY FIRE MARSHALS COMMITTEE, THE PIKES PEAK FIRE CHIEFS COUNCIL, THE PIKES PEAK REGIONAL BUILDING DEPARTMENT, THE HOUSING AND BUILDING ASSOCIATION, AND EL PASO COUNTY PLANNING & COMMUNITY DEVELOPMENT AND WITH THE INPUT OF THE TOWN OF MONUMENT; AND

WHEREAS, THE BOARD HAS CONSIDERED THE EFFECT OF CODE ADOPTION AND ENFORCEMENT AND FINDS THAT ADOPTION OF THE 2021 IFC AND THE CWRC, AS AMENDED, WILL NOT CAUSE UNDUE HARDSHIP OR HINDER ECONOMIC DEVELOPMENT, BUT WILL INSTEAD PROVIDE A REALISTIC, REASONABLE, AND NECESSARY LEVEL OF FIRE PROTECTION FOR AN URBAN FIRE PROTECTION DISTRICT LOCATED IN A REGION WITH GROWING WILDFIRE EXPOSURE; AND

WHEREAS, THE BOARD HEREBY DETERMINES THAT IT IS IN THE BEST INTEREST OF THE RESIDENTS, TAXPAYERS, PROPERTY OWNERS, AND VISITORS OF THE DISTRICT TO MAINTAIN MODERN, CONSISTENT, AND UPDATED FIRE AND WILDFIRE REGULATIONS BY ADOPTING THE 2021 IFC AND CWRC, WITH LOCAL AMENDMENTS.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF DIRECTORS OF THE DISTRICT:

1) Adoption of 2021 International Fire Code (IFC).

- a) The Board hereby adopts the 2021 International Fire Code, as published by the International Code Council, including Appendices A, B, C, D, E, F, G, H, I, J, K, L, M, and N, as amended by this Resolution and set forth in Exhibit A (Local IFC Amendments). These standards shall regulate:
- (1) Fire prevention and protection,
 - (2) Fire protection systems,
 - (3) Emergency access and water supply,
 - (4) Hazardous materials, and
 - (5) Conditions hazardous to life or property within buildings and premises in the District.
- b) Definitions. The following definitions shall be utilized in addition to those set forth in the 2021 International Fire Code:
- (1) Wherever the word "jurisdiction" is used, it is meant to be inclusive of the boundaries of the Monument Fire District as they currently or may exist hereafter.
 - (2) Where the term "Chief" or "Chief of the Community Risk Reduction Division" is used, it shall be held to mean the Fire Chief of the Monument Fire District, or the District's Fire Marshal or a designated member of the District.
 - (3) Where the term "Board" is used, it shall be held to mean the Board of Directors of the Monument Fire District.
 - (4) Wherever the term "International Building Code" is used, it shall be held to mean the International Building Code as adopted, amended and incorporated into the El Paso County Building Code for unincorporated portions of El Paso County or the International Building Code as adopted, amended and incorporated into the applicable municipality's Building Code within a municipality's territorial limits.
 - (5) Wherever the term "corporation counsel" is used, it shall be held to mean the District's Attorney.

2) Adoption of the Colorado Wildfire Resiliency Code (CWRC). The Board hereby adopts by reference the Colorado Wildfire Resiliency Code (CWRC), including applicable chapters, sections, and appendices governing the wildland-urban interface (WUI), ignition-resistant construction, defensible space, vegetation management, access, fuels mitigation, and other wildfire risk-reduction measures. The CWRC shall apply to:

- (1) All new construction within designated WUI areas,
- (2) Exterior building materials and assemblies,
- (3) Defensible space requirements,
- (4) Vegetation management and maintenance,
- (5) Access standards for emergency response, and
- (6) WUI risk reduction measures applicable within the District.


3) Administration and Enforcement. The Fire Chief, Fire Marshal, or designees shall administer and enforce the adopted 2021 IFC and CWRC in conjunction with the governing jurisdiction with police powers. Enforcement may occur:

- a) Through plan review and inspection authority;
- b) In coordination with the Pikes Peak Regional Building Department; and

- c) Pursuant to authority granted through the El Paso County Board of County Commissioners as required by §32-1-1002(1)(d), C.R.S. and the Town of Monument
- 4) Establishment and Duties of Community Risk Reduction Inspectors. Organizational structure and duties of the Community Risk Reduction Division shall be as provided by the District's rules and regulations, as established by Intergovernmental Agreement, and/or by the District's internal organizational structure.
- 5) Repeal of Prior Resolution(s). Any prior Resolution of the District adopting earlier editions of uniform fire codes, are hereby repealed in their entirety immediately upon the effective date of this Resolution.
- 6) Severability. If any part, section, subsection, sentence, clause or phrase of this Resolution or the International Fire Code adopted hereby is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions. The Board of Directors hereby declares that it would have passed and adopted this Resolution and the International Fire Code adopted hereby should any other section, subsection, sentence, clause or phrase be declared invalid.
- 7) Copies on File. A copy of this Resolution and the International Fire Code adopted herein shall be kept on file in the business office of the District and shall be available for public inspection.
- 8) Repealer. All resolutions, or parts thereof, in conflict with this Resolution, are hereby repealed, provided that this section shall not repeal the repealer clauses of any prior resolutions or hereby revive any ordinances or resolutions previously repealed.
- 9) Effective Date. This Resolution shall take effect and be enforced immediately upon its approval by the District's Board of Directors and shall be in full force and effect within the unincorporated portions of El Paso County located within the District, upon the respective adoption of a similar resolution or ordinance by such other jurisdiction(s).
- 10) Authorization. The officers of the District are authorized and directed to take actions necessary and appropriate to affect the provisions of this Resolution.

ADOPTED this 26th day of January, 2026.

TRI-LAKES MONUMENT FIRE PROTECTION DISTRICT

By 
Mark Gunderman, President

ATTEST:

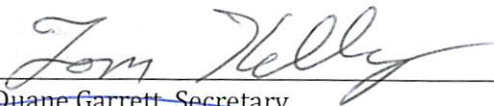
By 
~~Duane Garrett, Secretary~~
Tom Kelly, Treasurer

EXHIBIT A
Revisions to the 2021 International Fire Code.

The following sections of the 2021 International Fire Code are hereby revised with local amendments as follows:

CHAPTER 1 SCOPE AND ADMINISTRATION

Section 101.1. Amend Section 101.1 to read as follows: "101.1 Title. These regulations shall be known as the Fire Code of the Monument Fire District, hereinafter referred to as "this code."

SECTION 104 DUTIES AND POWERS OF THE FIRE CODE OFFICIAL

Section 104.1 General. Amend Section 104.1 to read as follows:

[A] 104.1 General. The fire code official is hereby authorized to enforce the provisions of this code. The fire code official shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules, and shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code. The fire chief or designee has authority in determining the application of this code and resolving any conflicts that may arise from enforcement of this code.

Section 104.6 Official records. Amend Section 104.6 to read as follows:

[A] 104.6 Official records. The fire code official shall keep official records as required by Sections 104.6.1 through 104.6.4. Such official records shall be retained for not less than seven (7) years or for as long as the structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations.

Section 104.7.2 Actions. Add a new Section 104.7.2 to read as follows:

104.7.2 Actions, liability and legal defense. The Colorado Governmental Immunity Act, Article 10 of Title 24 Colorado Revised Statutes, shall apply to the actions, liability and legal defense of any Fire Code Official, officer or employee charged with the enforcement of this code.

SECTION 105 PERMITS

Section 105.1.2 Types of permits. Amend Section 105.1.2 to read as follows:

105.1.2 Types of Permits. There shall be three types of permits as follows:

1. Operational Permit. An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 105.5 for either:
 - 1.1 A prescribed period.
 - 1.2 Until renewed or revoked.
2. Construction permit. A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by section 105.6.

3. Administrative permit. An administrative permit allows the applicant to modify fire protection or life safety systems and equipment, having a limited scope of work, for which a construction permit would otherwise be issued. Administrative permits apply to the following:
 - a. 20-Head letters.
 - b. 5-device letters.
 - c. Temporary removal of equipment during construction activities.
 - d. Others as approved by the fire code official.

Section 105.2.2 Inspection authorized. Amend Section 105.2.2 to read as follows:

[A] 105.2.2 Inspection authorized. Before a new operational permit is approved, the fire code official is authorized to inspect the receptacles, vehicles, buildings, devices, premises, storage spaces, areas, activities, processes, procedures, and all other relevant items of fire and life safety to be used to determine compliance with this code or any operational constraints required.

Section 105.3.4.1 Work at risk. Add new Section 105.3.4.1 to read as follows:

105.3.4.1 Work at risk. Where a permit is required, and upon the request of a permit applicant, the fire code official may issue a work-at-risk permit to begin work prior to the issuance of a permit. The work at risk permit will allow the applicant to begin installation, modification, or commencement of a system, process, or activity for which the permit is required prior to approved plans or a construction permit. The holder of the work at risk permit shall be authorized to proceed at their own risk with the installation or modification of the system, or other work requiring a permit, but shall not entitle them to any required inspections of the system or work until construction documents or permit applications are approved and the required permits are posted on site. Any work performed on the system will be done at the risk of the installing contractor. Any required changes or modifications based upon approved plan review or inspection activities will be the responsibility of the contractor and shall be made prior to final approval of the system and Certificate of Occupancy. A work at risk permit fee shall be assessed as set forth by the adopted fee schedule.

Section 105.3.4.2 Temporary use permit. Add a new Section 105.3.4.2 to read as follows:

105.3.4.2 Temporary use permit. A temporary use permit may be issued upon request to allow an activity or temporary use to occur within a given occupancy where the occupancy classification may not meet the intended temporary use, or temporary activity when it is determined to create a considerable risk based upon the activity itself or environmental hazards. A request for temporary use must be submitted in writing to the fire code official and include a permit application, code study with details on the occupant loads, means of egress, fire protection systems, and specific hazards or activities present. Inspections shall be performed in accordance with Section 108 prior to the issuance of the temporary use permit. A temporary use permit may be issued for a maximum of 180 days and may only be extended upon approval by the fire code official. A temporary use permit fee shall be assessed as set forth by the adopted fee schedule.

Section 105.3.6 Compliance with code. Amend Section 105.3.6 to read as follows:

[A] 105.3.6 Compliance with code. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other

ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the fire code official from requiring the correction of errors in the construction documents and other data. Any addition to or alteration of approved construction documents shall be approved by the fire code official as evidenced by the issuance of a new or amended permit.

Section 105.3.6.1 Liability. Add a new Section 105.3.6.1 to read as follows:

105.3.6.1 Liability. The permittee shall indemnify the Fire Department, its officers, agents, and employees against any claim or liability arising from or based on the violation of this code or any other applicable law or regulation caused by any actions or omissions of the permittee arising out of the exercise of the activity authorized by the permit.

Section 105.5 Required operational permits. Amend Section 105.5 to read as follows:

105.5 Required operational permits. The fire code official is authorized to issue operational permits per fire department SOP for the operations set forth in Sections 105.5.1 through 105.5.55

Table 105.5.9 Permit amounts for compressed gases. Amend Table 105.5.9 to read as follows:

TABLE 105.5.9 PERMIT AMOUNTS FOR COMPRESSED GASES

TYPE OF GAS	AMOUNT (cubic feet at NTP)
Carbon dioxide used in carbon dioxide enrichment systems	875 (100 lbs.)
Carbon Dioxide used in insulated liquid carbon dioxide beverage dispensing applications	875 (100 lbs.)
Corrosive	200
Flammable (except cryogenic fluids and liquified petroleum gases)	200
Highly toxic	Any Amount
Inert and simple asphyxiant	6,000
Inert and simple asphyxiant in beverage dispensing applications	875 (100 lbs.)
Oxidizing (including oxygen)	504
Pyrophoric	Any Amount
Toxic	Any Amount

Section 105.5.17 Fire hydrants and valves. Amend Section 105.6.17 to read as follows:

105.5.17 Fire hydrants and valves. A Water District permit is required to use or operate fire hydrants or valves intended for fire suppression purposes that are installed on water systems and provided with ready access from a fire apparatus access road that is open to or generally used by the public.

Exception: A permit is not required for authorized employees of the water company that supplies the system or the fire department to use or operate fire hydrants or valves.

Section 105.5.18 Flammable and combustible liquids. Amend Section 105.5.18 to read as follows:

105.5.18 Flammable and combustible liquids. An operational permit is required:

1. To use or operate a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the off-site transportation in pipelines regulated by the Department of Transportation (DOTn) nor does it apply to piping systems.
2. To store, handle or use Class I liquids in excess of 20 gallons in a building or in excess of 50 gallons outside of a building, except that a permit is not required for the following:
 - 2.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant, or mobile heating plant, unless such storage, in the opinion of the fire code official, would cause an unsafe condition.
 - 2.2. The storage or use of paints, oils, varnishes, or similar flammable mixtures where such liquids are stored for maintenance, painting, or similar purposes for a period of not more than 30 days.
3. To store, handle or use Class II or Class III A liquids in excess of 55 gallons in a building or in excess of 100 gallons outside a building, except for fuel oil used in connection with oil-burning equipment. 3.1. To store, handle or use Class IIIB liquids of 120 gallons or more in a building or outside a building.
4. To store, handle or use Class IIIB liquids in tanks or portable tanks for fueling motor vehicles at motor fuel-dispensing facilities or where connected to fuel-burning equipment.
Exception: Fuel oil and used motor oil used for space heating or water heating.
5. To remove Class I or II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes.
6. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries, and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed, or used.
7. To place temporarily out of service (for more than 90 days) an underground, protected above-ground, or above-ground flammable or combustible liquid tank.
8. To change the type of contents stored in a flammable or combustible liquid tank to a material that poses a greater hazard than that for which the tank was designed and constructed.
9. To manufacture, process, blend or refine flammable or combustible liquids.
10. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental, or manufacturing establishments in accordance with Section 5706.5.4 or to engage in on-demand mobile fueling operations in accordance with Section 5707.
11. To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles, marine craft, and other special equipment at commercial, industrial, governmental, or manufacturing establishments in accordance with Section 5706.5.4

or, where required by the fire code official, to utilize a site for on-demand mobile fueling operations in accordance with Section 5707.

12. To manufacture, produce or store, alcoholic beverages, distilled spirits, or wines in excess of 16-percent alcohol content stored in containers/vessels greater than 1.3 gallons each.

Section 105.5.25 Hot work operations. Amend Section 105.5.25 to read as follows:

105.5.25 Hot work operations. An operational permit is required for hot work including, but not limited to:

1. Public exhibitions and demonstrations where hot work is conducted.
2. Use of portable hot work equipment inside an occupied structure.
Exception: Work that is conducted under a construction permit.
3. Fixed-site hot work equipment, such as welding booths.
4. Hot work conducted within a wildfire risk area and/or during burn restrictions or during burn bans.
5. Application of roof coverings with the use of an open-flame device.
6. Where approved, the fire code official shall issue a permit to carry out a hot work program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 35. These permits shall be issued only to their employees or hot work operations under their supervision. Organizations complying with sub-section 6 do not need an operational permit issued by the fire department.

Section 105.5.29 LP-gas. Amend Section 105.5.29 to read as follows:

105.5.29 LP-gas. An operational permit is required for:

1. Storage and use of LP-gas where a single container, cylinder, or tank is more than 125 gallons water capacity; or the aggregate capacity of containers is more than 125 gallons water capacity.
Exception: A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons (1893 L) serving occupancies in Group R-3, one- and two-family dwellings and townhomes.
2. Operation of cargo tankers that transport LP-gas.
3. One or more LP-gas cabinets associated with a cylinder exchange program.

Section 105.5.34. Open burning. Amend Section 105.5.34 to read as follows:

105.5.34 Open burning and prescribed burns/fires. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be complied with.

Section 105.5.36 Open flames and candles. Amend Section 105.5.36 to read as follows:

105.5.36 Open flames and candles. An operational permit is required to use open flames or candles in connection with assembly areas, dining areas of restaurants, drinking establishments, or to use open flame effects before an audience.

Section 105.5.42 Pyrotechnic special effects material. Amend Section 105.5.42 to read as follows:

105.5.42 Pyrotechnic special effects material and display fireworks. An operational permit is required for use and handling of pyrotechnic special effects material. An operational permit is required for the storage, handling, and use of explosive material used in fireworks displays or for pyrotechnic special effect activities or flame effects before a proximate audience within the scope of Chapter 56 (See Section 105.6.16). An operational permit per 105.5.16 is required for the temporary storage and retail sale of consumer fireworks, 1.4G permitted by Section 5601.1.3.

Section 105.5.53 Lithium batteries. Add a new Section 103.5.53 to read as follows:

105.5.53 Lithium batteries. An operational permit is required for an accumulation of more than 15 cubic feet of lithium-ion and lithium metal batteries, where required by Section 321.1.

Section 105.5.54 Temporary change of use. Add a new Section 105.5.54 to read as follows:

105.5.54 Temporary change of use. An operational permit is required to temporarily change the use of a facility. A maximum of 90 days of use; no extensions or re-issue of permit for a minimum of 8 months.

Section 105.5.55 Other permits not otherwise listed. Add a new Section 105.5.55 to read as follows:

105.5.55 Other permits not otherwise listed. An operational permit may be required for hazardous activities or operations not otherwise specifically listed in this code that the fire code official determines creates a substantial risk or hazard.

Section 105.6 Required construction permits. Amend Section 105.6 to read as follows:

105.6 Required construction permits. The fire code official is authorized to issue construction permits for work as set forth in Sections 105.6.1 through 105.6.27.

Section 105.6.15 LP-gas. Amend Section 105.6.15 to read as follows:

105.6.15 LP-gas. A construction permit is required for:

1. Installation of or modification to an LP-gas system where a single container, cylinder, or tank is more than 125 gallons water capacity; or the aggregate capacity of containers is more than 125 gallons water capacity.
Exception: A permit is not required for individual containers with a 500-gallon water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons, serving occupancies in Group R-3, townhomes, and serving one- and two-family dwellings.
2. One or more LP-gas cabinets associated with a cylinder exchange program.

Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

Section 105.6.20 Solar photovoltaic power systems. Amend Section 150.6.20 to read as follows:

105.6.20 Solar photovoltaic power systems. A construction permit is required to install or modify solar photovoltaic power systems. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

Exceptions: Group R-3 and structures designed and constructed in accordance with the International Residential Code.

Section 105.6.25 Fire protection system demolition permit. Add a new Section 105.6.25 to read as follows:

105.6.25 Fire protection system demolition permit. When a fire protection system, or portion thereof is no longer needed, desired, or required by code, a licensed fire protection contractor shall obtain a permit prior to any demolition or removal of any portion of the system. The request for a demolition permit must include a complete code study showing the system is no longer required and justification for the permanent removal of the system.

Section 105.6.26 Direct Current Fast Charging (DCFC) stations. Add a new Section 105.6.26 to read as follows:

105.6.26 Direct Current Fast Charging (DCFC) stations. A construction permit is required for the installation of any Direct Current Fast Charging (DCFC) stations.

Section 105.6.27 Other permits not otherwise listed. Add a new Section 105.6.27 to read as follows:

105.6.27 Other permits not otherwise listed. A construction permit is required for activities, installations, or operations not otherwise specifically listed in code that the fire code official determines creates a substantial risk or hazard.

SECTION 106 CONSTRUCTION DOCUMENTS

Section 106.1 Submittals. Amend Section 106.1 to read as follows:

[A] 106.1 Submittals. Construction documents and supporting data shall be submitted in two or more sets with each application for a permit and in such form and detail as required by the fire code official. The construction documents shall be prepared by an approved design professional where required by the jurisdiction in which the project is to be constructed.

Exception: The fire code official is authorized to waive the submission of construction documents and supporting data not required to be prepared by an approved design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

Section 106.3 Amended construction documents. Amend Section 106.3 to read as follows:

[A] 106.3 Amended construction documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents. Where field conditions necessitate any substantial change from the approved construction documents, the fire code official shall have the authority to require the amended construction documents to be submitted for approval. Fees may be assessed for time spent on the review of corrected documents in accordance with Section 107 and the adopted fee schedule.

SECTION 107 FEES

Section 107.5 Related fees. Amend Section 107.5 to read as follows:

[A] 107.5 Related fees. The payment of the fee for the construction, alteration, removal or demolition, or activity of work done in connection to or concurrently with the work or authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

Section 107.7 Re-inspection fees. Add a new Section 107.7 to read as follows:

107.7 Re-inspection fees. Re-inspection fee as set forth in the approved/adopted fee schedule may be assessed for each inspection or reinspection when any portion of work for which inspection is called is not complete or when required corrections have not been completed. This subsection is not to be interpreted as requiring reinspection fees upon initial rejection of work for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before work is ready for the inspection or reinspection's, or if hazards are not abated in the required timeframe. The reinspection fees may be assessed:

1. When the permit is not properly posted and/or the approved plans are not available on the work site; or
2. For failure to provide access on the date for which inspection is requested; or
3. For failure to maintain all work in an exposed condition until inspected and approved for installation; or
4. For deviating from plans requiring the approval of the fire code official; or
5. For lack of sufficient documentation, equipment, or personnel needed to complete the inspection; or
6. The work that an inspection has been called for has not been pretested or is not ready for inspection.
7. Failure to comply with the conditions of the permit.
8. When identified, violations or hazards are not corrected or abated within the specified timeframe.

SECTION 111 MEANS OF APPEALS

Section 111.1 Board of appeals. Amend Section 111.1 to read as follows:

[A] 111.1 Board of appeals established. In order to hear and decide appeals of orders, decisions, or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be established by the provisions of Appendix A of this code. When hearing issues related to this code, the board of appeals shall operate in accordance with Appendix A of this code.

Sections 111.2 Limitations on authority. Delete Section 111.2 in its entirety.

Section 111.3 Qualifications. Delete Section 111.3 in its entirety.

Section 111.4 Administration. Delete Sections 111.4 in its entirety.

SECTION 112 VIOLATIONS

Section 112.1 Unlawful acts. Amend Section 112.1 to read as follows:

[A] 112.1 Unlawful acts. It shall be unlawful for a person, firm, or corporation to erect, construct, alter, repair, remove, and/or conduct activities, demolish or utilize a building, occupancy, premises, or system regulated by this code, or cause the same to be done, in conflict with or in violation of any of the provisions of this code.

Section 112.3.1 Service. Amend Section 112.3.1 to read as follows:

[A] 112.3.1 Service. A notice of violation issued pursuant to this code shall be served on the owner, the owner's authorized agent, operator, occupant, or other person responsible for the condition or violation, either by personal service, mail, or by delivering the same to, and leaving it with, some person of responsibility on the premises. The fire code official is authorized to affix a stop work order, a cease and desist tag or similar notice prohibiting the use thereof, until such repairs or alterations are made. For unattended or abandoned locations, a copy of such notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the notice of violation shall be mailed by certified mail with a return receipt requested or a certificate of mailing, to the last known address of the owner, the owner's authorized agent, or occupant.

Section 112.4 Violation penalties. Amend Section 112.4 to read as follows:

[A] 112.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Misdemeanor punishable by a fine of not more than Three hundred (\$300.00) dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Penalties shall be assessed for violations of this code as authorized by C.R.S. 32-1-1002 (3) and (4), or any other applicable federal, state or local law.

SECTION 113 STOP WORK ORDER

Section 113.4 Failure to comply. Amend Section 113.4 Failure to Comply to read as follows:

[A] 113.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a fines established by the authority having jurisdiction to be not more than Three Hundred (\$300.00) dollars.

Section 113.5 Penalties. Add a new Section 113.5 to read as follows:

113.5 Penalties. It is unlawful for any person to violate any of the provisions of this part including any provisions of the International Fire Code, International Fire Code Appendices, and International Fire Code Amendments, as adopted. Any person convicted of a violation of any provision set forth in this part shall be punished in accord with the penalties as authorized by C.R.S. 32-1-1002 (3) and (4), or any other applicable federal, state or local law.

CHAPTER 2 DEFINITIONS

SECTION 202 GENERAL DEFINITIONS

Definition EXTRACTION. Add a definition to read as follows:

EXTRACTION. The process of removing essential oils or other botanic material from a given plant material.

Definition HOT WORK AREA. Amend definition HOTWORK AREA to read as follows:

HOT WORK AREA. An area no less than a 35-foot radius and 15 feet in elevation; above and below, that is exposed to sparks, hot slag, radiant heat, or convective heat as a result of the hot work.

Definition MINIMUM EXPLOSIVE CONCENTRATION (MEC). Add a definition to read as follows:

MINIMUM EXPLOSIVE CONCENTRATION (MEC). The lowest mass to volume concentration of combustible dust that will propagate a flame (sometimes referred to as LFL). The MEC for grain dust is 0.055 oz. /ft³.

Definition OCCUPANCY CLASSIFICATION. [BG] Institutional Group I-2. Amend Occupancy Conditions to read as follows:

Occupancy Conditions. Buildings of Group I-2 shall be classified as one of the following occupancy conditions and shall comply with Section 407 of the International Building Code:

[BG] Condition 1. This occupancy condition shall include facilities that provide nursing and medical care but do not provide emergency care, surgery, obstetrics, or in-patient stabilization units for psychiatric or detoxification, including, but not limited to, nursing homes, memory care facilities, and foster care facilities.

Definition PILE. Add a definition to read as follows:

PILE. Independently stacked commodities possibly organized by separate spacers, dunnage, or pallets in which the demise of any storage container on a lower tier compromises the structural stability of the storage system.

Definition POST OIL PROCESSING. Add a definition to read as follows:

POST OIL PROCESSING. The process of refining essential oils after extraction from the plant material, including, but not limited to dewaxing, and winterization processes.

Definition POWERED MICROMOBILITY DEVICES. Add a definition to read as follows:

POWERED MICROMOBILITY DEVICES. Motorized bicycles, motorized scooters, and other personal mobility devices powered by a lithium-ion or lithium metal battery. The term does not include motor vehicles that are required to be registered with the Department of Motor Vehicles for the state or jurisdiction.

Definition RACK. Add a definition to read as follows:

RACK. Shelves or similar structural frame-supported system of tiers in which the demise of any storage container on a lower tier does not affect the structural stability of the storage system.

Part II – General Safety Provisions

CHAPTER 3 GENERAL REQUIREMENTS

SECTION 301 GENERAL

Section 301.2 Permits. Amend Section 301.2 to read as follows:

301.2 Permits. Permits shall be required as set forth in Section 105.5 for the activities or uses regulated by Sections 306, 307, 308, 315, 320, 322, and 324

SECTION 304 COMBUSTIBLE WASTE MATERIAL

SECTION 307 OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIRE PLACES

Section 307.1.2 Burn restrictions and burn bans. Add a new Section 307.1.2 to read as follows:

307.1.2 Burn restrictions and burn bans. The Fire Chief of a fire jurisdiction is authorized to issue a burn restriction or burn ban as deemed necessary when local conditions make recreational fires, open burning, other open flame, or similar activities hazardous or objectionable. County wide burn bans shall be issued by the Fire Warden (El Paso County Sherriff).

Section 307.2.2 Air quality permits. Add a new Section 307.2.2 to read as follows:

307.2.2 Air quality permits. Air quality permits may be required by the State of Colorado Department of Health Air Quality Program for any type of open burning listed in Section 307. It is the

responsibility of the permit holder to contact the State of Colorado Department of Health and/or the El Paso County Department of Health to determine if an Air Quality Permit is required.

Section 307.4.1 Bonfires. Amend Section 307.4.1 to read as follows:

307.4.1 Bonfires. A bonfire shall not be conducted within 50 feet (15 240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions that could cause a fire to spread within 50 feet (15 240 mm) of a structure shall be eliminated prior to ignition. A bonfire is generally classified as combustible products stacked or organized greater than 3 feet in diameter and 2 feet in height, utilized for any religious, celebratory, or similar purpose.

Section 307.4.1.1 Materials. Add a new Section 307.4.1.1 to read as follows:

307.4.1.1 Materials. Bonfires shall be constructed of solid wood products as approved by the fire code official and void of any trash, debris, or rubbish. Bonfires should not use flammable liquid as an ignition source.

Section 307.4.2 Recreational fires. Amend Section 307.4.2 to read as follows:

307.4.2 Recreational fires. Recreational fires shall not be conducted within 10 feet of a structure or combustible material. Conditions that could cause a fire to spread within 10 feet of a structure shall be eliminated prior to ignition.

Section 307.4.3 Portable outdoor fireplaces. Amend section 307.4.3 to read as follows:

307.4.3 Portable outdoor fireplaces. Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 10 feet of a structure or combustible material.

Exception: Occupants of one- and- two family dwellings:

1. Shall operate portable outdoor fireplaces in accordance with the manufacturer's instructions.
2. May operate portable outdoor fireplaces with no minimum distance requirement from a structure or combustible material affiliated with occupants of the one- or two-family dwelling.
3. Shall NOT operate a portable outdoor fireplace within 10 feet of a neighboring structure or combustible material, including but not limited to a tree, bush, or common fence.

Section 307.4.3.1 Spark arrestor. Add a new Section 307.4.3.1 to read as follows:

307.4.3.1 Spark arrestor. Use of a functional spark arrestor is required for all solid fuels such as wood or charcoal, for recreational fires, and all outdoor fireplaces.

Section 307.5 Attendance. Amend Section 307.5 to read as follows:

307.5 Attendance. Open burning, bonfires, recreational fires, and use of portable outdoor fireplaces shall be constantly attended by a minimum of one alert, ambulatory, unimpaired, responsible adult until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt,

sand, water barrel, garden hose, or water truck, shall be available for immediate utilization by the attendant responsible.

SECTION 308 OPEN FLAMES

Section 308.1.4 Open-flame cooking devices. Amend Section 308.1.4 to read as follows:

308.1.4 Open-flame cooking devices. Charcoal and solid-fuel burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048mm) of combustible construction. Exceptions:

1. One- and two-family dwellings.
2. Where buildings, balconies, and decks are protected by an automatic sprinkler system.
3. LPG cooking devices having LPG container with a water capacity not greater than 47 pounds [nominal 20-pound LPG capacity].

Section 308.1.4.1 Valves. Add a new Section 308.1.4.1 to read as follows:

308.1.4.1. Valves. All valves shall be turned off when propane cylinders are not in use.

Section 308.1.4.2 Egress from buildings. Add a new Section 308.1.4.2 to read as follows:

308.1.4.2 Egress from buildings. Open flame devices shall never be used or stored in or near stairwells, corridors, or other areas that are intended to be used as a means of egress or considered an interior living space.

Section 308.2 Permits required. Amend Section 308.2 to read as follows:

308.2 Permits required. Permits shall be obtained from the fire code official in accordance with Section 105.5 prior to engaging in the following activities involving open flame, fire, and burning:

1. Use of a torch or flame-producing device to remove paint from a structure.
2. Use of open flame, fire, or burning in connection with Group A or E occupancies.
3. Use or operation of torches and other devices, machines, or processes liable to start or cause a fire in or on wildfire risk areas.
4. Use of flame effects before a proximal audience.

SECTION 316 HAZARDS TO FIRE FIGHTERS

Section 316.3.1 Modifications and alterations. Add a new section 316.3.1 to read as follows:

316.3.1 Modifications and alterations. Modifications, alterations, or changes made to buildings and structures that are of non-approved work and pose a threat to the life and safety of emergency responders are prohibited.

SECTION 319 MOBILE FOOD PREPARATION VEHICLES

Section 319.4.1 Fire protection for cooking equipment. Amend Section 319.4.1 to read as follows:

Section 319.4.1 Fire protection for cooking equipment. Cooking equipment shall be protected by automatic fire extinguishing systems in accordance with Section 904.13.

Exception: If the vehicle was designed and constructed or cooking appliances were installed prior to April 1, 2026, or an approval from the fire code official.

SECTION 322 STORAGE OF LITHIUM-ION AND LITHIUM METAL BATTERIES. ADD A NEW SECTION 322 TO READ AS FOLLOWS:

SECTION 322 - STORAGE OF LITHIUM-ION AND LITHIUM METAL BATTERIES

Section 322.1. Add a new Section 322.1 to read as follows:

322.1 General. The storage of lithium-ion and lithium metal batteries shall comply with Section 322.

Exceptions:

1. New or refurbished batteries installed in the equipment, devices, or vehicles they are designed to power.
2. New or refurbished batteries packed for use with the equipment, devices, or vehicles they are designed to power.
3. Batteries in original retail packaging that are rated at 300 watt-hours or less for lithium-ion batteries or contain 25 grams or less of lithium metal for lithium metal batteries.
4. Temporary storage of batteries or battery components during the battery manufacturing process before completion of final quality control checks.
5. Temporary storage of batteries during the vehicle manufacturing or repair process.

Section 322.2 Permits. Add a new Section 322.2 to read as follows:

322.2 Permits. Permits shall be required for an accumulation of more than 15 cubic feet of lithium-ion and lithium metal batteries, other than batteries listed in the exceptions to Section 322.1, as set forth in Section 105.5.53.

Section 322.3 Fire safety plan. Add a new Section 322.3 to read as follows:

322.3 Fire safety plan. A fire safety plan shall be provided in accordance with Section 403.10.6. In addition, the fire safety plan shall include emergency response actions to be taken upon detection of a fire or possible fire involving lithium-ion or lithium metal battery storage.

Section 322.4 Storage requirements. Add a new Section 322.4 to read as follows:

322.4 Storage requirements. Lithium-ion and lithium metal batteries shall be stored in accordance with Section 322.4.1, 322.4.2, or 322.4.3, as applicable.

Section 322.4.1 Limited indoor storage in containers. Add a new Section 322.4.1 to read as follows:

322.4.1 Limited indoor storage in containers. Not more than 5 cubic feet of lithium-ion or lithium metal loose discarded batteries shall be permitted to be stored in containers in accordance with all the following.

1. Containers shall be open-top and constructed of noncombustible materials or shall be approved for battery collection.
2. A second container or group of containers shall be separated by not less than 3 feet of open space, or 10 feet of space that contains combustible materials.
3. Containers shall be located not less than 5 feet from exits or exit access doors.

Section 322.4.2 Indoor storage area. Add a new Section 322.4.2 to read as follows:

322.4.2 Indoor storage areas. Indoor storage areas for lithium-ion and lithium metal batteries, other than those complying with Section 322.4.1, shall comply with Sections 322.4.2.1 through 322.4.2.6.

Section 322.4.2.1 Technical opinion and report. Add a new Section 322.4.2.1 to read as follows:

322.4.2.1 Technical opinion and report. A technical opinion and report complying with Section 104.8.2 shall be prepared to evaluate the fire and explosion risks associated with the indoor storage area and to make recommendations for fire and explosion protection. The report shall be submitted to the fire code official and shall require the fire code official's approval prior to issuance of a permit. In addition to the requirements of Section 104.8.2, the technical opinion and report shall specifically evaluate the following:

1. The potential for deflagration of flammable gases released during a thermal runaway event.
2. The basis of design for an automatic sprinkler system, approved fire suppression system, and fire alarm system. Such design basis shall reference relevant full-scale fire testing or another approved method of demonstrating sufficiency of the recommended design.

Section 322.4.2.2 Construction requirements. Add a new Section 322.4.2.2 to read as follows:

322.4.2.2 Construction requirements. Where indoor storage areas for lithium-ion and lithium metal batteries are in a building with other uses, battery storage areas shall be separated from the remainder of the building by 2-hour rated fire barriers or horizontal assemblies. Fire barriers shall be constructed in accordance with Section 707 of the International Building Code, and horizontal assemblies shall be constructed in accordance with Section 711 of the International Building Code. Exceptions:

1. Where battery storage is contained in one or more approved prefabricated portable structures providing a complete 2-hour fire resistance rated enclosure, fire barriers and horizontal assemblies are not required.
2. Where battery storage is limited to new batteries in packaging that has been demonstrated to and approved by the fire code official as sufficient to isolate a fire in packaging to the package interior, fire barriers and horizontal assemblies are not required.

Section 322.4.2.3 Fire protection systems. Add a new Section 322.4.2.3 to read as follows:

322.4.2.3 Fire protection systems. Indoor storage areas for lithium-ion and lithium metal batteries shall be protected by an automatic sprinkler system complying with Section 903.3.1.1 or an approved alternative fire suppression system. The system design shall be based on recommendations in the approved technical opinion and report required by Section 322.4.2.1.

Section 322.4.2.4 Fire alarm systems. Add a new Section 322.4.2.4 to read as follows:

322.4.2.4 Fire alarm systems. Indoor storage areas for lithium-ion and lithium metal batteries shall be provided with an approved automatic fire detection and alarm system complying with Section 907. The fire detection system shall use air-aspirating smoke detection, radiant energy-sensing fire detection, or both. The system design shall be based on recommendations in the approved technical opinion and report required by Section 322.4.2.1.

Section 322.4.2.5 Explosion control. Add a new Section 322.4.2.5 to read as follows:

322.4.2.5 Explosion control. Where the approved technical opinion and report required by Section 322.4.2.1 recommends explosion control, explosion control complying with Section 911 shall be provided.

Section 322.4.2.6 Reduced requirements. Add a new Section 322.4.2.6 to read as follows:

322.4.2.6 Reduced requirements for storage of partially charged batteries. Indoor storage areas for lithium-ion and lithium metal batteries with a demonstrated state of charge not exceeding 30 percent shall not be required to comply with Sections 322.4.2.1, 322.4.2.2, or 322.4.2.5, provided that procedures for limiting and verifying that the state of charge will not exceed 30 percent have been approved.

Section 322.4.3 Outdoor storage. Add a new Section 322.4.3 to read as follows:

322.4.3 Outdoor Storage. Outdoor storage of lithium-ion or lithium metal batteries shall comply with Sections 322.4.3.1 through 322.4.3.3.

Section 322.4.3.1 Distance from storage to exposures. Add a new Section 322.4.3.1 to read as follows:

322.4.3.1 Distance from storage to exposures. Outdoor storage of lithium-ion or lithium metal batteries, including storage beneath weather protection in accordance with Section 414.6.1 of the International Building Code, shall comply with one of the following.

1. Battery storage shall be located not less than 20 feet from any building, lot line, public street, public alley, public way, or means of egress.
2. Battery storage shall be located not less than 3 feet from any building, lot line, public street, public alley, public way, or means of egress, where the battery storage is separated by a 2-hour fire-resistance-rated assembly without openings or penetrations and extending 5 feet above and to the sides of the battery storage area.
3. Battery storage shall be located not less than 3 feet from any building, lot line, public street, public alley, public way, or means of egress, where batteries are contained in approved prefabricated portable structures providing a complete 2-hour fire-resistance-rated enclosure.

Section 322.4.3.2 Storage area size limits and separation. Add a new Section 322.4.3.2 to read as follows:

322.4.3.2 Storage area size limits and separation. Outdoor storage areas for lithium-ion or lithium metal batteries, including storage beneath weather protection in accordance with Section 414.6.1 of the International Building Code, shall not exceed 900 sq. ft. The height of battery storage in such areas shall not exceed 10 feet. Multiple battery storage areas shall be separated from each other by not less than 10 feet of open space.

Section 322.4.3.3 Fire Detection. Add a new Section 322.4.3.3 to read as follows:

322.4.3.3 Fire detection. Outdoor storage areas for lithium-ion or lithium metal batteries, regardless of whether such areas are open, under weather protection, or in a prefabricated portable structure, shall be provided with an approved automatic fire detection and alarm system complying with Section 907. The fire detection system shall use radiant energy-sensing fire detection.

SECTION 323 POWERED MICROMOBILITY DEVICES. ADD A NEW SECTION 323 TO READ AS FOLLOWS:

SECTION 323 POWERED MICROMOBILITY DEVICES

Section 323.1 General. Add a new Section 323.1 to read as follows:

323.1 General. Lithium-ion and lithium metal battery-powered micromobility devices shall be operated and maintained in accordance with this section.

Exceptions:

1. Storage, repair, and charging in residential occupancies of battery-powered mobility devices, provided that such devices are for personal use by its owner.
2. Charging of a single powered mobility device in any occupancy by its owner.

323.1.1 Prohibited locations. The use of a residential occupancy as a business for the charging of commercially owned powered mobility devices as part of a rental or sales service shall not be permitted.

Section 323.2 Battery chargers and equipment. Add a new Section 323.2 to read as follows:

323.2 Battery chargers and equipment. Powered micromobility devices shall be charged in accordance with their listing and the manufacturer's instructions using only the original equipment manufacturer-supplied charging equipment or charging equipment in accordance with the listing and manufacturer's instructions.

Section 323.3 Listing. Add a new Section 323.3 to read as follows:

323.3 Listing. Powered micromobility devices shall be listed and labeled in accordance with UL 2272 or UL 2849, as applicable.

Section 323.4 Battery charging areas. Add a new Section 323.4 to read as follows:

323.4 Battery charging areas. Where approved, powered micromobility devices shall be permitted to be charged in a room or area that complies with all the following:

1. Only listed devices utilizing listed charging equipment shall be permitted to be charged.
2. Is provided with sufficient electrical receptacles to allow the charging equipment for each device to be directly connected to a receptacle. Extension cords and relocatable power taps shall not be used.
3. Storage of combustible materials, combustible waste, or hazardous materials shall not be permitted.
4. The charging operation shall not be conducted in or obstruct any required means of egress.
5. Removable storage batteries shall not be stacked or charged in an enclosed cabinet unless the cabinet is specially designed and approved for such purpose.
6. A minimum distance of 18 inches shall be maintained between each removable storage battery during charging operations unless each battery is isolated from neighboring batteries by an approved fire resistant material.
7. A minimum of 18 inches shall be maintained between the locations of the batteries on each powered micromobility device during charging operations.
8. The indoor room or area shall be protected by a fire alarm system utilizing air-aspirating smoke detectors or radiant energy-sensing fire detection.

Section 323.5 Fire safety plan. Add a new Section 323.5 to read as follows:

323.5 Fire safety plan. A fire safety plan shall be provided in accordance with Section 403.10.6. In addition, the fire safety plan shall include emergency response actions to be taken upon detection of a fire or possible fire involving lithium-ion or lithium metal battery storage.

SECTION 324 ELECTRIC VEHICLE (EV) CHARGING STATIONS. ADD A NEW SECTION 324 TO READ AS FOLLOWS:

SECTION 324 ELECTRIC VEHICLE (EV) CHARGING STATIONS.

Section 324.1 Scope. Add a new Section 324.1 to read as follows:

324.1 Scope. Electric vehicle charging stations installed inside of buildings or open parking lots shall be in compliance with the International Building Code, NFPA 70, and this Section as applicable.

Section 324.2 Permit. Add a new Section 324.2 to read as follows:

324.2 Permit. Permits shall be obtained for Direct Current Fast Charging (DCFC) stations as set forth in Section 105.6.

Section 324.3 Access. Add a new Section 324.3 to read as follows:

324.3 Access. Approved fire suppression access shall be provided for all electric vehicle charging stations.

Section 324.4 Listing. Add a new Section 324.4 to read as follows:

324.4 Listing. Electric vehicle charging system equipment shall be listed and labeled in accordance with UL 2202. Electric vehicle supply equipment shall be listed and labeled in accordance with UL 2594.

Section 324.5 Landscape. Add a new Section 324.5 to read as follows:

324.5 Landscape. Landscaping shall not obstruct access to electric vehicle charging stations. Weeds, grass, brush, trash, and other combustible materials shall be kept not less than 10 feet from electrical vehicle charging station.

Section 324.6 Location. Add a new Section 324.6 to read as follows:

324.6 Location. Electric vehicle charging equipment shall be designed and located in a manner that does not create a safety hazard or impede pedestrian, bicycle, or wheelchair movement. Direct current fast charging stations shall be located at grade and not within 25 feet of any exit discharge.

Section 324.7 Emergency disconnect. Add a new Section 324.8 to read as follows:

324.7 Emergency disconnect. An emergency disconnect switch shall be located at least 20 feet but not more than 100 feet away from all direct current fast charging stations.

Section 324.8 Labeling and signage. Add a new Section 324.9 to read as follows:

324.8 Labeling and signage. Permanently affixed labels shall be posted on electronic vehicle charging stations identifying voltage, amperage level, and emergency disconnect location as approved by the fire code official. Safety information related to the operation of the charging station may also be required.

Section 324.9 Separation. Add a new section 324.10 to read as follows:

321.9 Separation. Electric vehicle charging stations shall be segregated into groups not exceeding eight (8) parking spaces consecutively. Each group of charging stations shall be separated by one of the following methods:

1. A minimum of 9 feet separation from neighboring vehicles.
2. A 2-hour fire barrier constructed in accordance with Section 707 of the International Building Code and 2-hour horizontal assembly constructed in accordance with Section 711 of the International Building Code, as appropriate.
3. Alternative separation methods may be permitted as approved by the fire code official.

Exception: Fleet vehicles owned by a single entity may be exempt from separation requirements where approved by the fire code official.

Section 324.10 Vehicle impact protection. Add a new Section 324.11 to read as follows:

324.10 Vehicle impact protection. Where provided, vehicle impact protection shall be in accordance with Section 312.

Section 324.11 Maintenance. Add a new Section 324.12 to read as follows:

324.11 Maintenance. Electric vehicle charging stations shall be properly maintained. Contact information shall be provided on the equipment to address the responsible party of equipment malfunction.

Section 324.12 Securing. Add a new Section 324.13 to read as follows:

324.12 Securing. Electric vehicle charging stations shall be capable of securing electrical discharge when vehicles is not connected. Plug shall be secured from non-authorized use and/or tamper.

CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS

SECTION 401 GENERAL

Section 401.1 Scope. Amend Section 401.1 to read as follows:

401.1 Scope. Reporting of emergencies, coordination with emergency response forces, emergency plans, and procedures for managing or responding to emergencies shall comply with the provisions of this section.

SECTION 403 EMERGENCY PREPAREDNESS REQUIREMENTS

Section 403.4.3 Assembly points. Amend Section 403.4.3 to read as follows:

403.4.3 Assembly points. Outdoor assembly areas shall be designated and shall be located a safe distance from the building being evacuated so as to avoid interference with fire department operations. Outdoor assembly areas shall be accessed via an accessible route. The assembly areas shall be arranged to keep each class separate to provide accountability of all individuals.

Section 403.10.6 Lithium-ion and lithium metal batteries. Add a new Section 403.10.6 to read as follows:

403.10.6 Lithium-ion and lithium metal batteries. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for occupancies that involve activities for the research and development, testing, manufacturing, handling, storage of lithium-ion batteries or lithium metal batteries of a fire area exceeding 500 square feet, or the repair or servicing of vehicles powered by lithium-ion batteries or lithium metal batteries.

Exceptions:

1. New or refurbished batteries installed for use in the equipment or vehicles they are designed to power.
2. New or refurbished batteries packed for use with the equipment or vehicles they are designed to power for merchandizing purposes.

3. New or refurbished lithium-ion batteries rated at no more than 300 Watt-hours and lithium metal batteries containing no more than 25 grams of lithium metal in their original retail packaging.
4. The storage, repair, and charging activities in detached one-and two-family dwellings and townhouses, provided that such devices are for personal use.
5. The storage, repair, and charging activities associated with personal use in sleeping units and dwelling units of Group R-1 and R-2 occupancies.

Section 403.10.6.1 Mitigation planning. Add a new Section 403.10.6.1 to read as follows:

403.10.6.1 Mitigation planning. The approved fire safety and evacuation plan shall include thermal runaway event mitigation; measures addressing activities undertaken to prevent thermal runaway; early detection of a thermal runaway event; and mitigation measures to be undertaken to limit the size and impact of the event on occupants and the facility.

SECTION 404 FIRE SAFETY, EVACUATION AND LOCKDOWN PLANS

Section 404.2.1 Fire evacuation plans. Amend Section 404.2.1 to read as follows:

404.2.1 Fire evacuation plans. Fire evacuation plans shall include the following:

1. Emergency egress or escape routes and whether evacuation of the building is to be complete by selected floors or areas only or with a defend-in-place response.
2. Procedures for employees who must remain to operate critical equipment before evacuating.
3. Procedures for the use of elevators to evacuate the building where occupant evacuation elevators complying with Section 3008 of the International Building Code are provided.
4. Procedures for assisted rescue for persons unable to use the general means of egress unassisted.
5. Procedures for accounting for employees and occupants after evacuation has been completed.
6. Identification and assignment of personnel responsible for rescue or emergency medical aid.
7. The preferred and any alternative means of notifying occupants of a fire or emergency.
8. The preferred and any alternative means of reporting fires and other emergencies to the fire department or designated emergency response organization.
9. Identification and assignment of personnel who can be contacted for further information or explanation of duties under the plan.
10. A description of the emergency voice/alarm communication system alert tone and preprogrammed voice messages, where provided.
11. Outdoor assembly areas shall be accessible by all occupants. Outdoor assembly areas shall be designated and shall be located a safe distance, as approved by the fire code official, from the building being evacuated so as to avoid interference with fire department operations.

Section 404.2.2 Fire safety plans. Amend Section 404.2.2 to read as follows:

404.2.2 Fire safety plans. Fire safety plans shall include the following:

1. The procedure for reporting a fire or other emergency.
2. The life safety strategy includes the following:
 - 2.1. Procedures for notifying occupants, including areas with a private mode alarm system.
 - 2.2. Procedures for occupants under a defend in-place response.
 - 2.3. Procedures for evacuating occupants, including those who need evacuation assistance.
3. Site plans indicating the following:
 - 3.1. The occupancy assembly point.
 - 3.2. The locations of fire hydrants.
 - 3.3. The normal routes of fire department vehicle access.
4. Floor plans identifying the locations of the following:
 - 4.1. Exits.
 - 4.2. Primary evacuation routes.
 - 4.3. Secondary evacuation routes.
 - 4.4. Accessible egress routes.
 - 4.5. Areas of refuge.
 - 4.6. Exterior areas for assisted rescue.
 - 4.7. Refuge areas associated with smoke barriers and horizontal exits.
 - 4.8. Manual fire alarm boxes.
 - 4.9. Portable fire extinguishers.
 - 4.10. Fire alarm annunciators and controls.
5. A list of major fire hazards associated with the normal use and occupancy of the premises, including maintenance and housekeeping procedures.
6. Identification and assignment of personnel responsible for maintenance of systems and equipment installed to prevent or control fires.
7. Identification and assignment of personnel responsible for maintenance, housekeeping, and controlling fuel hazard sources.

SECTION 408 FIRE WATCH. ADD A NEW SECTION 408 TO READ AS FOLLOWS:
SECTION 408 FIRE WATCH

Section 408.1 General. Add a new Section 408.1 to read as follows:

408.1 General. Fire Watch shall be required at the discretion of the fire code official for a building with a disabled fire protection system, or when there are situations that could compromise the public's safety.

Section 408.2 Fire Watch Duties. Add a new Section 408.2 to read as follows:

408.2 Fire Watch Duties. The primary duty of fire watch personnel shall be to perform constant patrols and watch for the occurrence of fire. The combination of fire watch duties and site security duties is acceptable if approved by the fire code official.

1. Conduct continuous patrols of the entire facility (or affected area)
2. Identify any fire, life, or property hazards.

3. Immediately notify the Fire Department if a fire is discovered by calling 9-1-1.
4. Notify occupants of the facility of the need to evacuate.
5. Maintain a log of Fire Watch activities.
6. Fire Watch personnel cannot have other duties besides their assigned Fire Watch except those assigned or approved by the fire code official.
7. Fire Watch personnel must be familiar with the existing system of the facility.

Section 408.2.1 Fire Watch patrol frequency. Add a new Section 408.2.1 to read as follows:

408.2.1 Fire Watch patrol frequency. Fire Watch personnel shall continuously patrol the entire facility (or affected area) in a manner such that the entire patrol area is inspected every 30 minutes. If the patrol cannot be completed in 30 minutes more personnel are needed to perform the fire watch.

Exception: Based on the risk, facilities such as those with occupant's incapable of self-preservation, shall be patrolled every 15 minutes.

Section 408.2.2 Fire Watch log. Add a new Section 408.2.2 to read as follows:

408.2.2 Fire Watch log. A Fire Watch log shall be maintained on-site. The log must be available at all times until the Fire Watch has been terminated by fire code official. Records shall be made available for review by the fire code official upon request the log shall show the following:

1. Name of the person conducting the Fire Watch.
2. Times that each patrol was started and completed.

Section 408.3 Fire Watch levels. Add a new Section 408.3 to read as follows:

408.3 Fire Watch levels. Levels of Fire Watch are based on occupancy types and shall adhere to Table 408.3(1) and Table 408.3(2). Modification to Fire Watch shall be at the discretion of the fire code official prior to modifications are implemented.

Table 408.3(1) Fire Watch level. Add a new Table 408.3(1) to read as follows:

Table 408.3(1) Fire Watch level

LEVEL 1	Continuous monitoring of the affected area for signs of smoke or fire for the sole purpose of notifying emergency services (dialing 9-1-1)	One or more approved employees of the building owner; security guards; or qualified fire department personnel
LEVEL 2	Same as Level 1 and assist with evacuation	Same as LEVEL 1
LEVEL 3	Same as Level 2 and fire extinguishment / hazard mitigation	One or more qualified fire department personnel. NOTE: An emergency action plan may be required. Established only by fire code official

Table 408.3(2) Fire Watch per occupancy classification. Add a new Table 408.3(2) to read as follows:

Table 408.3 (2) Fire Watch per occupancy classification

Situation	Level of Fire Watch per Occupancy Classification					
	A	B, M	E	H	F, I, R	S
Loss of any required fire protection system	1 or 2	1A	2 ^B	2 or 3	1, 2, or 3	1 ^C , 2 ^D , or 3
Special circumstances such as an occupant load increase, or the nature of the activity.	3	ESTABLISHED ONLY BY THE FIRE CODE OFFICIAL. AS REQUIRED BY FIRE INSPECTION OR OTHER CIRCUMSTANCES				

- a. All building occupants and/or staff must be notified that the system(s) are out of service.
- b. Only while the building is occupied, and all staff must be notified that the system(s) are out of service.
- c. Stocked but no occupants.
- d. During operations.

Section 408.4 Fire Watch fees. Add a new Section 408.4, to read as follows:

408.4 Fire Watch fees. Fire Watch involving fire department personnel shall have fees assessed as set forth in the approved/adopted fee schedule.

Part III – Building and Equipment Design Features

CHAPTER 5 FIRE SERVICE FEATURES

SECTION 501 GENERAL

Section 501.1 Scope. Amend Section 501.1 to read as follows:

501.1 Scope. Fire service features for buildings, structures, and premises shall comply with this chapter and Appendix D.

SECTION 503 FIRE APPARATUS ACCESS ROADS

Section 503.1 Where required. Amend Section 503.1 to read as follows:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and Appendix D.

Section 503.2 Specifications. Amend Section 503.2 to read as follows:

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8 and Appendix D.

Section 503.3 Marking. Amend Section 503.3 to read as follows:

Section 503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words “NO PARKING – FIRE LANE” shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. Markings shall be provided for and maintained in accordance with section D103.6.

Section 503.4 Obstruction of fire apparatus access roads. Amend Section 503.4 to read as follows:

Section 503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1, 503.2.2, Appendix D, and any area marked as a fire lane as described in Section 503.3 shall be maintained at all times.

SECTION 505 PREMISES IDENTIFICATION

Section 505.1 Address identification. Amend Section 505.1 to read as follows:

505.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 5 inches high with a minimum stroke width of 1/2 inch. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure. Address identification shall be maintained.

Section 505.1.1 Suite numbers. Add a new Section 505.1.1 to read as follows:

505.1.1 Suite numbers. Any area occupied by tenants of a mall or shopping center, or any area used for other than single-unit or multi-unit residential occupancy that abuts a public courtyard or other public space shall be identified by numbers that are a minimum of 4 inches (101.6 mm) in height with a minimum stroke of 1/2 inch (12.7mm) so as to be plainly visible and legible from a distance of at least fifty (50) feet (1.5 m) from the main entrance to the area.

Section 505.1.2 Addressing of rear doors. Add a new Section 505.1.2 to read as follows:

505.1.2 Addressing of rear doors. The rear door entrance of access doors of all malls, strip centers, commercial center buildings and other areas with multi-tenant spaces shall be identified with the appropriate address number and business name. The address numbers and/or letters shall be at least 3 inches (76.2 mm) in height and no less than three-eighths (3/8) inch (9.5 mm) stroke.

SECTION 506 KEY BOXES

Section 506.1 Where required. Amend Section 506.1 to read as follows:

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for lifesaving, fire-fighting purposes, or where monitored fire protection systems or elevators exist in the building, the fire code official is authorized to require a key box to be installed on new and existing buildings; and in an approved location. The key box shall be of an approved type listed in accordance with UL 1037 and shall contain keys to gain necessary access as required by the fire code official.

SECTION 507 FIRE PROTECTION WATER SUPPLIES

Section 507.3 Fire Flow. Amend Section 507.3 to read as follows:

507.3 Fire Flow. Fire flow requirements for buildings or portion of buildings and facilities shall be determined as outlined in Appendix B of this code.

Section 507.5 Fire hydrant systems. Amend Section 507.5 to read as follows:

507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6, NFPA 24, and Appendix C.

Section 507.5.1 Where required. Amend Section 507.5.1 to read as follows.

507.5.1 Where required. Where a portion of the facility of building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions:

1. For Group R3 and Group U occupancies, the distance requirement shall be 500 feet.
2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 500 feet.
3. Use of alternative water supply per NFPA 1142 or the International Wildland-Urban Interface Code as authorized by the fire code official.

Section 507.5.1.1 Hydrant for standpipe. Amend Section 507.5.1.1 to read as follows:

507.5.1.1 Hydrant for standpipe and fire sprinkler systems. Buildings equipped with a standpipe and/or fire sprinkler system installed in accordance with Chapter 9 shall have a fire hydrant within 100 feet (30.4 m) of the fire department connection.

SECTION 509 FIRE PROTECTION AND UTILITY EQUIPMENT IDENTIFICATION AND ACCESS

Section 509.2.1 Clear space. Add Section 509.2.1 to read as follows:

Section 509.2.1 Clear space. A three (3) foot clear space shall be maintained in front of, to the side of, and around, fire protection equipment, to include all fire sprinkler riser assemblies, control valves, fire alarm control panels, fire alarm annunciators, and power supply panels. This clear space shall include an unobstructed path of travel to the fire protection system appurtenances.

SECTION 510 EMERGENCY RESPONDER COMMUNICATION COVERAGE

Section 510.4 Technical requirements. Amend section 510.4 to read as follows:

510.4 Technical requirements. Systems, components, and equipment required to provide the emergency responder radio coverage system shall comply with this section, the published technical and performance rules and regulations of the Pikes Peak Radio Communications Network and NFPA 1225 Standard for Emergency Services Communications.

SECTION 511 FIRE FIGHTER AIR REPLENISHMENT SYSTEMS. ADD A NEW SECTION 511 TO READ AS FOLLOWS:

SECTION 511 FIRE FIGHTER AIR REPLENISHMENT SYSTEMS.

Section 511.1 General. Add a new Section 511.1 to read as follows:

511.1 General. Where required by the fire code official, a fire fighter air replenishment system shall be provided in accordance with Appendix L101.2.

CHAPTER 6 BUILDING SERVICES AND SYSTEMS

SECTION 603 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS

Section 603.5 Relocatable power taps and current taps. Amend Section 603.5 to read as follows:

603.5 Relocatable power taps and current taps. The construction and use of current taps and relocatable taps shall be in accordance with NFPA 70 and this code. Multiplug adapters, such cube adapters, unfused plug strips or any other device not complying with NFPA 70 shall be prohibited.

Section 603.5.2 Application and use. Amend Section 603.5.2 to read as follows:

603.5.2 Application and use. Relocatable power taps and current taps shall be directly connected to a permanently installed receptacle.

SECTION 611 MAGNETIC RESONANCE IMAGING FACILITIES. ADD A NEW SECTION 611 TO READ AS FOLLOWS:

SECTION 611 MAGNETIC RESONANCE IMAGING FACILITIES

Section 611.1 General. Add a new Section 611.1 to read as follows:

611.1 General. Magnetic resonance imaging (MRI) facilities shall be inspected, tested, and maintained in accordance with the most current American College of Radiology (ACR) safety Guidelines and NFPA 99 Health Care Facilities Code.

Exception: As approved by the fire code official, existing facilities may comply with the edition in effect at the time of installation.

Section 611.2 Records. Add a new Section 611.2 to read as follows:

611.2 Records. Records shall be maintained of all testing and repair conducted on the MRI device/facility and associated devices and equipment. Records shall be available to the fire code official.

Section 611.3 Zones. Add a new Section 611.3 to read as follows:

611.3 Zones. All MRI Zones shall be clearly established within the facility with proper signage per the ACR.

Section 611.4 Signage. Add a new Section 611.4 to read as follows:

611.4 Signage. In addition to the ACR required signage an NFPA 704 shall be required at the entry to the MRI Level IV zone.

Section 611.4.1 Size. Add a new Section 611.4.1 to read as follows:

611.4.1 Size. The NFPA 704 signage at the MRI level IV Zone shall be a minimum of 7-1/2 IN x 7-1/2 IN with each individual block being a minimum of 3-1/4 IN x 3-1/4 IN. The following shall be in each individual block. Blue-2, Red-0, Yellow-0, White MRI.

CHAPTER 7 FIRE AND SMOKE PROTECTION FEATURES

CHAPTER 8 INTERIOR FINISH, DECORATIVE MATERIALS, AND FURNISHINGS

SECTION 806 NATURAL DECORATIVE VEGETATION IN NEW AND EXISTING BUILDINGS

Section 806.5 Maintenance. Add a new Section 806.5 to read as follows:

806.5 Maintenance. Live natural vegetation shall be maintained. Dried out dead vegetation shall be removed.

CHAPTER 9 FIRE PROTECTION SYSTEMS

SECTION 901 GENERAL

Section 901.1.1 Approved Contractors. Add a new Section 901.1.1 to read as follows:

901.1.1 Approved Contractors. All fire protection systems and appliances referenced by this code shall be designed, installed, repaired, inspected, tagged, and maintained by an approved licensed

contractor. Private fire hydrants shall be inspected and maintained by an approved licensed contractor.

Exceptions:

1. Non-rechargeable portable fire extinguishers are permitted to be inspected by a property owner or management company representative. These individuals are not required to maintain an FSC-D license or Service Technician D. Companies conducting inspections on fire extinguishers shall maintain a current copy of NFPA 10 Standard for Portable Fire Extinguishers as a reference for inspection requirements and shall maintain records of annual inspections as required by NFPA 10.
2. New portable fire extinguishers may be installed and tagged by a general contractor, or a business owner/manager without requiring a fire suppression contractor license.
3. The monthly inspection of portable fire extinguishers required by NFPA 10 Standard for Portable Fire Extinguishers, does not have to be performed by a licensed fire suppression contractor.

Section 901.3.1 Administrative permits. Add a new Section 901.3.1 to read as follows:

901.3.1 Administrative permits. Any additions or remodeling to existing commercial sprinkler systems involving 20 sprinkler heads or less, fire alarm systems involving 5 devices or less, or temporary removal of system components during construction, will not require a construction permit when approved by the fire code official. The approved letters shall become the de-facto permit for the scope of work described therein. The letter submittal and review process shall comply with the guidance documents provided by the fire code official.

Section 901.4.8 System replacement. Add a new Section 901.4.8 to read as follows:

901.4.8 System replacement. Where a fire protection or life safety system is being replaced, the system shall be designed and installed per the current edition of the appropriate NFPA standard. Replacement of fire alarm control units (FACU) shall fall under one of the following conditions:

1. Failure due to damage or age and cannot be repaired or replaced with an identical unit. If the new FACU is not listed as compatible with the remaining existing devices, components, or equipment, the existing required fire alarm system no longer functions as originally designed and installed and the entire system must be brought up to compliance with currently adopted codes and standards.
2. Building or system expansion or modification. If the existing FACU cannot support additional components or equipment resulting from a system expansion of building modification and a new FACU is not listed as compatible with the existing devices, components, or equipment the existing required system must be brought up to compliance with the currently adopted codes and standards.
3. Voluntary replacement. If a new FACU is desired, and one cannot be found that is compatible with the existing devices, components, or equipment, the system must either be left in place as-is or brought up to compliance with currently adopted codes and standards.

Section 901.7 System out of service. Amend Section 901.7 to read as follows:

901.7 Systems out of service. Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall be either evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service.

Where utilized, fire watches shall be provided with not less than one approved means for notification of the fire department, and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires. Follow fire watch requirements as required in section 408.

Exception: Facilities with an approved notification and impairment management program. The notification and impairment program for water-based fire protection systems shall comply with NFPA 25

Section 901.7.7 Permanent removal from service. Add a new Section 901.7.7 to read as follows:

901.7.7 Permanent removal from service. When a fire protection system is permanently removed from service it shall be completely removed from the structure, to include all valves, panels, devices, appliances, wiring, piping, appurtenances, fire department connections, etc. The only portion of the system permitted to remain includes portions concealed in walls or ceilings. The water riser stub coming out of the ground and associated fire line shall be abandoned in accordance with the responsible water district standards. A construction permit per 105.6.26 is required prior to any system removal.

SECTION 903 AUTOMATIC SPRINKLER SYSTEM

Section 903.2.4 Group F-1. Amend Section 903.2.4 to read as follows:

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 12,000 square feet.
2. A Group F-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.
4. A Group F-1 occupancy used to manufacture lithium-ion or lithium metal batteries.
5. A Group F-1 occupancy used to manufacture vehicles, energy storage systems or equipment containing lithium-ion or lithium metal batteries where the batteries are installed as part of the manufacturing process.

Section 903.2.7.3 Lithium-ion or lithium metal battery storage. Add a new Section 903.2.7.3 to read as follows:

903.2.7.3 Lithium-ion or lithium metal battery storage. An automatic sprinkler system shall be provided in a room or space within a Group M occupancy where required for the storage of lithium-ion or lithium metal by Section 322 or Chapter 32 of this code.

Section 903.2.9 Group S-1. Amend Section 903.2.9. to read as follows:

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 12,000 square feet.
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.
4. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet.
5. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 square feet.

Section 903.2.9.1 Repair garages. Amend Section 903.2.9.1 to read as follows:

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the International Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 10,000 square feet.
2. Buildings not more than one story above grade plane, with a fire area containing a repair garage exceeding 12,000 square feet.
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 square feet.
5. A Group S-1 fire area used for the repair of vehicles powered by lithium-ion or lithium metal batteries that exceed 500 square feet.

Section 903.2.11.1.4 Lithium battery laboratories. Add a new Section 903.2.11.1.4 to read as follows:

903.2.11.1.4 Lithium battery laboratories; research and development or testing. An automatic sprinkler system shall be installed throughout the fire areas utilized for the research and development or testing of lithium-ion or lithium metal batteries.

Section 903.3.1.1 NFPA 13 sprinkler system. Amend Section 903.3.1.1 to read as follows:

903.3.1.1 NFPA 13 sprinkler systems. Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Sections 903.3.1.1.1 and 903.3.1.1.3.

Section 903.3.1.1.1 Exempt locations. Amend Section 903.3.1.1.1 to read as follows:

903.3.1.1.1 Exempt locations. Automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved monitored automatic fire detection system in accordance with Section 907.2 and NFPA 72 that will respond to visible or invisible

particles of combustion. Sprinklers shall not be omitted from a room merely because it is damp, of fire-resistance-rated construction, or contains electrical equipment.

1. A room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. A room or space where sprinklers are considered undesirable because of the nature of the contents, where approved by the fire code official.
3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
4. Safe deposit or other vaults of fire-resistive construction when used for the storage of records, files, and other documents, when stored in metal cabinets.
5. Elevator machine rooms, provided all of the following are met:
 - 5.1. The elevator equipment is to be installed within an enclosure having a fire-resistive rating no less than that specified by the International Building Code
 - 5.2. No combustible storage is permitted to be stored in the room.
 - 5.3. A portable fire extinguisher rated not less than 2A:20BC is provided at the door giving access into the room.

Section 903.3.1.1.3 Shell building design. Add a new Section 903.3.1.1.3 to read as follows:

903.3.1.1.3 Shell building design. Fire sprinkler systems in shell buildings, other than specified as a Group B Occupancy, shall be designed according to the requirements set forth in NFPA 13 for Ordinary Hazard Group II criteria.

Section 903.3.1.1.4 Lithium-ion or lithium metal batteries. Add a new Section 903.3.1.1.4 to read as follows:

903.3.1.1.4 Lithium-ion or lithium metal batteries. Where automatic sprinkler systems are required by this code for areas containing lithium-ion or lithium metal batteries, the design of the system shall be installed in accordance with Section 322.4.2.

903.3.5.2 Residential combination services. Amend Section 903.3.5.2 to read as follows:

903.3.5.2 Residential combination services. A single combination water supply shall be permitted provided that the domestic demand is added to the sprinkler demand as required by NFPA 13D.

Section 903.3.5.3 Dead-end fire service mains. Add new Section:903.3.5.3 to read as follows:

903.3.5.3 Dead-end fire service mains. Unless approved by the fire code official, dead-end fire service mains shall not be used when there is not a reliable secondary or redundant means of water supply within 500 feet of a structure along an approved route.

Section 903.3.5.4 Safety factor in hydraulic information. Add a new Section 903.3.5.4 to read as follows:

903.3.5.4 Safety factor in hydraulic information. A safety factor of 10% shall be incorporated into the fire flow information when designing water-based fire suppression systems.

Section 903.4 Sprinkler system supervision and alarms. Amend Section 903.4 to read as follows:

903.4 Sprinkler system supervision and alarms. Valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and waterflow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area sprinkler systems in accordance with Section 903.3.8.
3. Automatic sprinkler systems installed in accordance with NFPA ~~13R~~ 13D where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths, or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, pre-action, and deluge sprinkler systems that are sealed or locked in the open position.
8. Underground key or hub gate valves in roadway boxes.

Section 903.4.2 Alarms. Amend Section 903.4.2 to read as follows:

903.4.2 Alarms. An approved audible and visual device, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler waterflow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Section 903.4.2.1 Waterflow alarm systems. Add a new Section 903.4.2.1 to read as follows:

903.4.2.1 Waterflow alarm systems. Additional initiating and/or notification devices may be required by the fire code official in normally occupied areas. To include separated occupancies being served by the same automatic sprinkler system.

SECTION 904 ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS

Section 904.2.1 Restriction. Amend Section 904.2.1 to read as follows:

904.2.1 Restriction on using automatic sprinkler system exceptions or reductions. Automatic fire-extinguishing systems shall not be considered alternatives for the purposes of exceptions or reductions permitted for automatic sprinkler systems or by other requirements of this code.

Exception: Data and/or server rooms not exceeding 800 square feet, protected with only an alternative extinguishing system.

Section 904.13.2 System interconnection. Amend Section 904.13.2 to read as follows:

904.13.2 System interconnection. The actuation of the fire extinguishing system shall automatically shut down the fuel and/or electrical power supply to the cooking equipment; any electrical receptacles under the hood and any receptacle that could be used to power equipment located under the hood shall also be shut down. The fuel and electrical power supply reset shall be manual.

Section 904.13.2.1 Ventilation. Add a new Section 904.13.2.1 to read as follows:

904.13.2.1 Ventilation system interconnection. Upon activation of the fire suppression systems, the exhaust for the hood shall remain on.

Section 904.13.6 Monitoring. Add a new Section 904.13.6 to read as follows:

904.13.6 Monitoring. Where an occupancy is equipped with a fire alarm system in accordance with this code, the cooking system shall be connected to the building fire alarm.

SECTION 905 STANDPIPE SYSTEMS

Section 905.3.1 Height Class III. Amend Section 905.3.1 to read as follows:

905.3.1 Height Class I. standpipe systems shall be installed throughout a building where any of the following conditions exist:

1. Four or more stories are above or below grade plane.
2. The floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.
3. The floor level of the lowest story is located more than 30 feet below the highest level of fire department vehicle access.

Exceptions:

1. Class I standpipes are permitted in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Class I standpipes are permitted in Group and E occupancies.
3. Class I standpipes are permitted in parking garages.
4. Class I standpipes are permitted in basements equipped throughout with an automatic sprinkler system.
5. Class I standpipes are permitted in buildings where occupant-use hose lines will not be utilized by trained personnel or the fire department.
6. In determining the lowest level of fire department vehicle access, it shall not be required to consider either of the following:
 - 6.1. Recessed loading docks for four vehicles or less.
 - 6.2. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.

Section 905.3.4 Stages. Amend Section 905.3.4 to read as follows:

905.3.4 Stages. Stages greater than 1,000 square feet in area shall be equipped with a Class I wet standpipe system with 2½ inch hose connections on each side of the stage.

Section 905.3.4.1 Hose and cabinet. Delete Section 905.3.4.1 in its entirety:

Section 905.3.6 Helistops and heliports. Amend Section 905.3.6 to read as follows:

905.3.6 Helistops and heliports. Buildings with a rooftop helistop or heliport shall be equipped with a Class I standpipe system extended to the roof level on which the helistop or heliport is located in accordance with Section 2007.5.

Section 905.3.8 Landscaped roofs. Amend Section 905.3.8 to read as follows:

905.3.8 Landscaped roofs. Buildings or structures that have landscaped roofs and that are equipped with a standpipe system shall have the standpipe system extended to the roof level on which the rooftop garden or landscaped roof is located. Roof top valves shall be protected from tampering.

Section 905.4 Location of Class I standpipe hose connections. Amend Section 905.4 to read as follows:

905.4 Location of Class I standpipe hose connections. Class I standpipe hose connections shall be provided in all of the following locations:

1. In every required interior exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located on an intermediate landing unless otherwise approved by the fire code official.

Exceptions:

1. A single hose connection shall be permitted to be installed in the open corridor or open breezeway between open stairs that are not greater than 75 feet apart.
2. Where stairways are constructed with a vestibule in accordance with the International Building Code, the hose connections may be installed inside the floor level vestibule.
3. On each side of the wall adjacent to the exit opening of a horizontal exit.
4. Where floor area adjacent to a horizontal exit are reachable from an interior exit stairway hose connection by a 30-foot hose stream from a nozzle attached to 100 feet of hose, a hose connection shall not be required at the horizontal exit.
2. In every exit passageway, at the entrance from the exit passageway to other areas of a building. Exception: Where floor areas adjacent to an exit passageway are reachable from an interior exit stairway hose connection by a 30-foot (9144 mm) hose stream from a nozzle attached to 100 feet (30 480 mm) of hose, a hose connection shall not be required at the entrance from the exit passageway to other areas of the building.
3. In covered mall buildings, adjacent to each exterior public entrance to the mall and adjacent to each entrance from an exit passageway or exit corridor to the mall. In open mall buildings, adjacent to each public entrance to the mall at the perimeter line and adjacent to each entrance from an exit passageway or exit corridor to the mall.
4. Where the roof has a slope less than 4 units vertical in 12 units horizontal (33.3-percent slop), a hose connection shall be located to serve the roof or at the highest

landing of an interior exit stairway with access to the roof provided in accordance with Section 1011.2.

5. Where the most remote portion of a non-sprinklered floor or story is more than 150 feet (45 720 mm) from a hose connection or the most remote portion of a sprinklered floor or story is more than 200 feet (60 960 mm) from a hose connection, the fire code official is authorized to require that additional hose connections be provided in approved locations.

SECTION 906 PORTABLE FIRE EXTINGUISHERS

Section 906.1 Where required. Amend Section 906.1 to read as follows:

906.1 Where required. Portable fire extinguishers shall be installed in all of the following locations:

1. In new and existing Group, A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.

Exceptions:

1. In group R-2 occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each dwelling unit is provided with a portable fire extinguisher having a minimum rating of 1-A:10-B: C.
2. In Group E occupancies portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each classroom is provided with a portable fire extinguisher having a minimum rating of 2-A:20-B: C.
3. In storage areas of Group S occupancies where forklift powered industrial truck or powered cart operators are the primary occupants, fixed extinguishers, as specified in NFPA 10, shall not be required where in accordance with all of the following:
 - 3.1. Use of vehicle-mounted extinguishers shall be approved by the by the fire code official.
 - 3.2. Each vehicle shall be equipped with a 10-pound, 40A:80B:C extinguisher affixed to the vehicle using a mounting bracket approved by the extinguisher manufacturer of the fire code official for vehicular use.
 - 3.3. Not less than two spare extinguishers of equal or greater rating shall be available onsite to replace a discharged extinguisher.
 - 3.4. Vehicle operators shall be trained in the proper operation, use and inspection of extinguishers.
 - 3.5. Inspections of vehicle-mounted extinguishers shall be performed daily.
4. Within 30 feet (9144 mm) distance of travel from commercial cooking equipment and from domestic cooking equipment in Group I-1; I-2, Condition 1; and R-2 college dormitory occupancies.
5. In areas where flammable or combustible liquids are stored, used or dispensed.
6. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 3316.1
7. Where required by the sections indicated in Table 906.1.
8. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the fire code official.
9. Main electrical rooms not provided with fire sprinklers.

Section 906.2.1. Amend Section 906.2.1 by adding an exception, to read as follows:

906.2.1 Certification of service personnel for portable fire extinguishers. Service personnel providing or conducting maintenance on portable fire extinguishers shall possess a valid certificate issued by an approved governmental agency, or other approved organization for the type of work performed.

Exception: Certification or licensing is not required for fire authorities or their employees who are maintaining and recharging air-pressurized water (APW) extinguishers which are the property of the fire authority.

Section 906.5.1 Storage of extinguishers. Add a new Section 906.5.1 to read as follows:

906.5.1 Storage of extinguishers. Occupancies that store used, or serviced extinguishers shall have a storage closet or cabinet, enclosed by a solid surface, or by other means determined by the fire code official.

SECTION 907 FIRE ALARM AND DETECTION SYSTEMS

Section 907.1 General. Amend Section 907.1 to read as follows:

907.1 General. This section covers the application, installation, performance, and maintenance of fire alarm systems and their components in new and existing buildings and structures. The requirements of Section 907.2 apply new buildings and structures, new fire alarm systems in existing buildings, and complete fire alarm system replacements. The requirements of Section 907.9 are applicable to new and existing buildings and structures.

Section 907.2 Where required. Amend Section 907.2 to read as follows:

907.2 Where required – new buildings and structures. An approved fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.25.1 and provide occupant notification in accordance with Section 907.5 unless other requirements are provided by another section of this code.

Not fewer than one manual fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or waterflow detection devices. Where other sections of this code allow the elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

Exceptions:

1. The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.
2. The manual fire alarm box is not required for Group R-2 occupancies unless required by the fire code official to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. Where provided, the manual fire alarm box shall not be located in an area that is open to the public.

Section 907.2.2.2 Laboratories. Add a new Section 907.2.2.2 to read as follows:

907.2.2.2 Lithium battery laboratories; research and development or testing. A fire alarm system shall be installed throughout the fire areas utilized for the research and development or testing of lithium-ion or lithium metal batteries.

Section 907.2.4.1 Manufacturing involving lithium-ion or lithium metal batteries. Add a new Section 907.2.4.1 to read as follows:

907.2.4.1 Manufacturing involving lithium-ion or lithium metal batteries. The fire alarm systems shall be required and designed in accordance with Section 322.4.2.

Section 907.2.6.2 Group I-2. Amend Section 907.2.6.2 to read as follows:

907.2.6.2 Group I-2. An automatic smoke detection system shall be installed in corridors in Group I-2, Condition 1 facilities, and spaces permitted to be open to the corridors by Section 407.2 of the International Building Code. The system shall be activated in accordance with Section 907.4. Group I-2, Condition 2 occupancies shall be equipped with an automatic smoke detection system as required in Section 407 of the International Building Code.

Exceptions:

1. Corridor smoke detection is not required in smoke compartments that contain sleeping units where such units are provided with addressable smoke detectors that comply with UL 268. Such detectors shall provide an audible and visual alarm at the care providers' station attending each unit.
2. Corridor smoke detection is not required in smoke compartments that contain sleeping units where sleeping unit doors are equipped with automatic door-closing devices with integral smoke detectors on the unit sides installed in accordance with their listing, provided that the integral detectors perform the required alerting function.

Section 907.2.7.2 Storage of lithium-ion or lithium metal batteries. Add a new Section 907.2.7.2 to read as follows:

907.2.7.2 Storage of lithium-ion or lithium metal batteries. The fire alarm systems shall be required in accordance with Section 322 and designed in accordance with Section 322.4.2.

Section 907.2.10.1 Storage of lithium-ion or lithium metal batteries. Add a new Section 907.2.10.1 to read as follows:

907.2.10.1 Storage of lithium-ion or lithium metal batteries. The fire alarm systems shall be required and designed in accordance with Section 322.4.2.

Section 907.2.24 Main electrical rooms. Add a new Section 907.2.24 to read as follows:

907.2.24 Main electrical rooms. Main electrical rooms permitted to be non-sprinklered under NFPA 13 shall be provided with an approved monitored automatic smoke detection system installed in accordance with NFPA 72 and electronically supervised by an approved supervising station in accordance with this code.

Section 907.4.4 Lithium-ion or lithium metal batteries. Add a new Section 907.4.4 to read as follows:

907.4.4 Lithium-ion or lithium metal batteries. Where fire alarm systems are required by this code for areas containing lithium-ion or lithium metal batteries, the design of the system shall be installed in accordance with Section 322.4.2.

Section 907.5.2.2 Emergency voice/alarm. Amend Section 907.5.2.2 to read as follows:

907.5.2.2 Emergency voice/alarm communication systems. Emergency voice/alarm communication systems required by this code shall be designed and installed in accordance with NFPA 72. The operation of any automatic fire detector, sprinkler water-flow device, or manual fire alarm box shall automatically sound an alert tone followed by voice instructions giving approved information and directions on a general or staged evacuation in accordance with the building's fire safety and evacuation plans required by Section 404. In high-rise buildings, the system shall operate on at least the alarming floor, the floor above, the floor below, the main ground level, and the highest occupied floor. Speakers shall be provided throughout the building by paging zones. At a minimum, paging zones shall be provided as follows:

1. Elevator groups.
2. Exit stairways.
3. Each floor.
4. Areas of refuge as defined in Chapter 2.

SECTION 910 SMOKE AND HEAT REMOVAL

Section 910.3.5 Fusible link temperature rating. Amend Section 910.3.5 to read as follows:

910.3.5 Fusible link temperature rating. Where vents are installed in areas provided with automatic fire sprinklers and the vents operate by a fusible link, the fusible link shall have a temperature rating of at least 100 F above the operating temperature of the fire sprinklers.

SECTION 912 FIRE DEPARTMENT CONNECTIONS

Section 912.2.3 Multiple Fire Departments Connections (FDC). Add a new Section 912.2.3 to read as follows:

912.2.3 Multiple Fire Department Connections (FDC). When the demand of a sprinkler system exceeds 1,500 gallons per minute, additional fire department connections shall be provided and located as required by the fire code official. All FDC's shall be of equal capacity.

SECTION 914 FIRE PROTECTION BASED ON SPECIAL DETAILED REQUIREMENTS OF USE AND OCCUPANCY

Section 914.12 Extraction operations. Add a new Section 904.12 to read as follows:

914.12 Extraction operations. Extraction rooms, booths, or hoods, including ductwork where required for hazardous exhaust systems, shall be protected by an approved automatic fire-extinguishing system complying with Chapter 9 where any of the following exist:

1. Extraction processes utilizing flammable and/or combustible materials, or off-gassing flammable vapors from spent plant material or oil.
2. Vapors are released exceeding 25% of the lower flammable limit from flammable liquid extraction processes or flammable liquid post-oil processing.

Section 916.6.1. Add a new table 916.1 to read as follows:

Table 916.6.1 Location for Gas Detection Sensors

GAS NAME	SPECIFIC GRAVITY	DETECTOR LOCATION
<i>Lighter than Air</i>		
Ammonia	0.6	12 to 18 Inches from Ceiling
Helium	0.14	12 to 18 Inches from Ceiling
Hydrogen	0.07	12 to 18 Inches from Ceiling
Methane	0.55	12 to 18 Inches from Ceiling
Neon	0.69	12 to 18 Inches from Ceiling
<i>Neutrally Buoyant</i>		
Ambient Air	1	
Acetylene	0.91	48 to 75 Inches from the Floor
Carbon Monoxide	0.97	48 to 75 Inches from the Floor
Nitrogen	0.97	48 to 75 Inches from the Floor
Oxygen	1.1	48 to 75 Inches from the Floor
<i>Heavier than Air</i>		
Argon	1.38	12 to 18 Inches from the Floor
Carbon Dioxide	1.52	12 to 18 Inches from the Floor
Chlorine	2.5	12 to 18 Inches from the Floor
Ozone	1.65	12 to 18 Inches from the Floor
Propane (LPG)	1.5	12 to 18 Inches from the Floor
Krypton	2.89	12 to 18 Inches from the Floor
Refrigerant R-22	3	12 to 18 Inches from the Floor
Refrigerant R-134A	3.5	12 to 18 Inches from the Floor
Refrigerant R-410A	3	12 to 18 Inches from the Floor
Sulfur Dioxide	2.25	12 to 18 Inches from the Floor
Xenon	4.53	12 to 18 Inches from the Floor

CHAPTER 10 MEANS OF EGRESS

SECTION 1009 ACCESSIBLE MEANS OF EGRESS

Section 1009.8 Two-way communication. Amend Section 1009.8 to read as follows:

1009.8 Two-way communication. A two-way communication system complying with Sections 1009.8.1, 1009.8.2, and NFPA 72 shall be provided at the landing serving each elevator or bank of elevators on each accessible floor that is one or more stories above or below the level of exit discharge.

Exceptions:

1. Two-way communication systems are not required at the landing serving each elevator or bank of elevators where the two-way communication system is provided within areas of refuge in accordance with Section 1009.6.5.
2. Two-way communication systems are not required on floors provided with ramps conforming to the provisions of Section 1012.
3. Two-way communication systems are not required at the landings serving only service elevators that are not designated as part of the accessible means of egress or serve as part of the required accessible route into a facility.
4. Two-way communication systems are not required at the landings serving only freight elevators.
5. Two-way communication systems are not required at the landing serving a private residence elevator.
6. Two-way communication systems are not required in Group I-2 or I-3 facilities.

CHAPTER 11 CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGSSECTION 1101 GENERAL

Section 1101.4.4 Variance. Add a new Section 1101.4.4 to read as follows:

1101.4.4 Variance. The authority having jurisdiction (AHJ) may issue a variance to any of the provisions of Chapter 11 where it is not practical or poses an undue hardship. Granting of a variance shall be based on showing of good cause and a request shall be made in writing from the building owner.

SECTION 1107 EXISTING HIGH PILED STORAGE FACILITIES. ADD A NEW SECTION 1107 TO READ AS FOLLOWS:SECTION 1107 EXISTING HIGH PILED STORAGE FACILITIES

Section 1107.1 Scope. Add a new Section 1107.1 to read as follows:

1107.1 Scope. Existing buildings utilizing high pile storage defined by Chapter 32 in which no official record exists; such as certificate of occupancy, fire department records, or similar verifying high pile use, the building shall comply with this section.

Section 1107.2 General. Add a new Section 1107.2 to read as follows:

1107.2 General. Based on the storage arrangement and commodity class, existing buildings shall comply with Table 3206.2.

Section 1107.3 Performance requirements. Add a new Section 1107.3 to read as follows.

1107.3 Performance requirements. Where structural limitations, as determined by an engineering analysis by a Colorado registered structural engineer, prohibits compliance with Chapter 32, storage arrangement and commodity class shall be in compliance with 104.9 of this code. Such performance alternatives shall be submitted for review and approved by the fire code official.

SECTION 1108 EXISTING ELECTRICAL ENERGY STORAGE SYSTEMS. ADD A NEW SECTION 1108 TO READ AS FOLLOWS:

SECTION 1108 EXISTING ELECTRICAL ENERGY STORAGE SYSTEMS

Section 1108.1 Scope. Add a new Section 1108.1 to read as follows:

1108.1 Scope. Existing buildings utilizing existing electrical energy storage systems (ESS) as defined by Section 1207, shall comply with this section.

Section 1108.2 Permit. Add a new Section 1108.2 to read as follows:

1108.2 Permit. An operational permit will be required per Section 105.5.14.

Section 1108.2.1 Permit requirements. Add a new Section 1108.2.1 to read as follows:

1108.2.1 Permit requirements. In order to obtain an operational permit, the following must be reviewed and approved by the fire code official:

1. Hazard mitigation analysis per Section 1207.1.4.
2. Fire remediation plan per Section 1207.1.6.
3. Decommissioning plan per Section 1207.2.3.

Section 1108.3 Repairs. Add a new Section 1108.3 to read as follows:

1108.3 Repairs. Repairs of ESS systems with OEM compatible parts shall comply with Section 1207.3.6.

Section 1108.4 System replacement. Add a new Section 1108.4 to read as follows:

1108.4 System Replacement. Replacement of ESS systems shall comply with Section 1207.3.8.

Section 1108.5 Inspection and testing. Add a new Section 1108.5 to read as follows:

1108.5 Inspection and testing. Inspection and testing of existing ESS systems shall comply with Section 1207.2.2.1.

CHAPTER 12 ENERGY SYSTEMS

SECTION 1207 ELECTRICAL ENERGY STORAGE SYSTEMS (ESS)

Section 1207.1 Scope. Amend Section 1207.1 to read as follows:

1207.1.1 Scope. ESS having capacities exceeding the values shown in Table 1207.1.1 shall comply with this section and NFPA 855 Standard for the Installation of Stationary Energy Storage Systems as required by the fire code official.

CHAPTER 13 RESERVED**CHAPTER 14 RESERVED****CHAPTER 15 RESERVED****CHAPTER 16 RESERVED****CHAPTER 17 RESERVED****CHAPTER 18 RESERVED****CHAPTER 19 RESERVED**PART IV – SPECIAL OCCUPANCIES AND OPERATIONS**CHAPTER 20 AVIATION FACILITIES**SECTION 2006 AIRCRAFT FUELING

Section 2006.4.1.1 Documentation. Add a new Section 2006.4.1.1 to read as follows:

2006.4.1.1 Documentation. A vehicle maintenance checklist for aircraft-fueling vehicles shall be documented on a daily basis by the apparatus operator, in accordance with current Air Transport Association (ATA) Specification form 103.04A.

SECTION 2007 HELISTOPS AND HELISPORTS

Section 2007.1 General. Amend Section 2007.1 to read as follows:

2007.1. General. Helistops and heliports shall be maintained in accordance with Sections 2007.2 through 2007.8. Helistops and heliports on buildings shall be constructed in accordance with the International Building Code, and NFPA 418 Standard for Heliports.

Section 2007.5 Standpipe systems. Amend Section 2007.5 to read as follows:

2007.5 Standpipe systems. A building with a rooftop helistop or heliport shall be provided with a Class I standpipe system extended to the roof level on which the helistop or heliport is located. All

portions of the helistop and heliport area shall be within 150 feet of a 2½-inch outlet on the standpipe system.

CHAPTER 21 DRY CLEANING

CHAPTER 22 COMBUSTIBLE DUST PRODUCING FACILITIES

CHAPTER 23 MOTOR FUEL DISPENSING FACILITIES AND REPAIR GARAGES

SECTION 2303 LOCATION OF DISPENSING DEVICES

Section 2303.2 Emergency disconnect switches. Amend Section 2303.2 to read as follows:

2303.2. Emergency disconnect switches. Approved, clearly identified, and readily accessible emergency disconnect switches shall be provided at approved locations to stop the transfer of fuel to the fuel dispensers in the event of a fuel spill or other emergency.

Two emergency disconnect switches for exterior fuel dispensers shall be required as follows:

1. Exterior: Shall be located within 100 feet (30.4 m) of, but not less than 20 feet (6 m) from, the fuel dispensers. The switch shall be a mushroom-style switch/ that is readily accessible and must cut off power to all dispensers and pumps.
2. Interior: Shall be located at the attendant duty location. The switch shall be a mushroom-type switch/button which will shut off the flow of fuel and cut off power to all dispensers and pumps.
3. Emergency disconnect switches shall shut off the power in conformance with NFPA 70 and NFPA 30A.
4. Emergency controls shall be of a type that is only manually resettable.

For interior fuel-dispensing operations, the emergency disconnect switch shall be installed at an approved location along the path of egress.

Section 2303.2.2 Emergency disconnect switch signage. Add a new Section 2303.2.2 to read as follows:

2303.2.2 Emergency disconnect switch signage. Signs shall be provided in approved locations and of the legible size as follows:

1. Interior: At least 1 inch (25.2 mm) in height and 1/8-inch (3.175 mm) stroke red on white background.
2. Exterior: At least 2 inches (51 mm) in height and 1/4-inch (6.35 mm) stroke red on white background.

CHAPTER 24 FLAMMABLE FINISHES

CHAPTER 25 FRUIT CROP RIPENING

CHAPTER 26 FUMIGATION AND INSECTICIDAL FOGGING

CHAPTER 27 SEMICONDUCTOR FABRICATION FACILITIES

CHAPTER 28 LUMBER YARDS

CHAPTER 29 MANUFACTURE OF ORGANIC COATINGS

CHAPTER 30 INDUSTRIAL OVENS

CHAPTER 31 TENTS, TEMPORARY SPECIAL EVENT STRUCTURES

CHAPTER 32 HIGH-PILED COMBUSTIBLE STORAGE

SECTION 3201 GENERAL

Section 3201.5 Facility closure. Add a new Section 3201.5 to read as follows:

3201.5. Facility closure. Facilities containing permitted high-piled storage areas, that are no longer utilizing high-piled storage practices shall comply with sections 3201.5.1 through 3201.5.2.

Section 3201.5.1 Temporarily out-of-service facilities. Add a new Section 3201.5.1 to read as follows:

3201.5.1. Temporarily out-of-service facilities. Facilities without a high-piled combustible storage operational permit; containing fire protection systems not being monitored or inspected on a regular basis shall be deemed permanently out of service and shall be closed in an approved manner complying with section 3201.5.2. High piled combustible storage facilities that do not meet this section are considered temporarily out of service and shall continue to maintain a permit, monitoring, and inspections.

Section 3201.5.2 Facility closure plan. Add a new Section 3201.5.2 to read as follows:

3201.5.2. Facility closure plan. When a high-piled combustible storage facility is considered for permanent closure as defined in Section 3201.5.1, the permit holder for the facility shall apply for closure approval by submitting an application to the fire code official a minimum of 30 days prior to facility closure. The closure plan shall be finalized by an owner/operator scheduled inspection to verify compliance with the application and close out the operational permit.

SECTION 3205 HOUSEKEEPING AND MAINTENANCE

Section 3205.7 Designation. Amend Section 3205.7 to read as follows:

3205.7 Designation of storage heights. Where required by the fire code official, an approved visual method of indicating the maximum allowable storage height shall be provided.

SECTION 3211 BUILDINGS CONTAINING AREAS CAPABLE OF ACCOMMODATING HIGH PILE COMBUSTIBLE STORAGE. ADD A NEW SECTION 3211 TO READ AS FOLLOWS:

SECTION 3211 BUILDINGS CONTAINING AREAS CAPABLE OF ACCOMMODATING HIGH PILE COMBUSTIBLE STORAGE

Section 3211.1 General. Add a new Section 3211.1 to read as follows:

3211.1 General. Any building containing an area capable of high piled storage, but otherwise not meeting definitions and/or requirements of this chapter, shall be maintained in accordance with section 3211.2.

Section 3211.2 Designation of storage heights. Add a new Section 3211.2 to read as follows:

3211.2 Designation of storage heights. Areas capable of high piled combustible storage, but currently not being utilized as such, shall have visual storage height limits displayed in accordance with Section 3205.7.

SECTION 3212 EXISTING BUILDINGS. ADD A NEW SECTION 3212 TO READ AS FOLLOWS:

SECTION 3212 EXISTING BUILDINGS

Section 3212.1 General. Add a new Section 3212.1 to read as follows:

3212.1 General. Existing facilities containing high piled combustible storage areas shall be in accordance with Section 1107.

CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION & DEMOLITION

SECTION 3301 GENERAL

Section 3301.1 Scope. This chapter shall apply to structures in the course of construction, alteration or demolition, including those in underground locations. Compliance with NFPA 241 is required for items not specifically addressed herein. This scope applies to commercial, multi-family residential, and townhouse developments.

Exception: One and Two-Family Dwellings, not including townhouses as specified above, shall comply with Chapter 33 but shall be exempt from sections 3303.1, 3303.1.1, 3303.2, and 3303.3.

SECTION 3303 OWNER'S RESPONSIBILITY FOR FIRE PROTECTION

Section 3303.3.1 Violations. Delete Section 3303.3.1 in its entirety.

SECTION 3311 ACCESS FOR FIRE FIGHTING

3311.1.1 Minimum specifications for temporary roads. Add a new Section 3311.1.1 to read as follows:

3311.1.1. Minimum specifications for temporary roads. Temporary access roads shall be an all-weather surface comprised of either the first lift of asphalt or concrete/compacted gravel to a thickness capable of supporting the imposed loads of fire department apparatus. A 20-ft minimum width shall be maintained unless the permanent road is designed less than 20-ft, in which case the temporary road shall be the intended width of the permanent road. Adequate street signs and fire lane signs shall be installed where applicable. Temporary access roads must be approved by the fire code official and maintained in accordance with this section.

SECTION 3312 MEANS OF EGRESS

Section 3312.1 Stairways required. Amend Section 3312.1 to read as follows:

3312.1 Stairways required. Where building construction exceeds 30 feet to an occupiable floor level in height above the lowest level of fire department vehicle access, a temporary or permanent stairway shall be provided. As construction progresses, such stairways shall be extended to within one floor of the highest point of construction having secured decking or flooring.

SECTION 3313 WATER SUPPLY FOR FIRE PROTECTION

Section 3313.2 Combustible building materials. Amend Section 3313.2 to read as follows:

3313.2 Combustible building materials. When combustible building materials of the building under construction are delivered to a site, a minimum fire flow of that equal to the building size and type referenced in Table B105.1(2) shall be provided. The fire hydrants used to provide this fire-flow supply shall be within the requirements of Table C102.1 of the combustible building materials, as measured along an approved fire apparatus access lane.

Section 3313.3.1 Fire separation up to 30 feet. Amend Section 3303.3.1 to read as follows:

3313.3.1 Fire separation up to 30 feet. Where a building of Type III, IV, or V construction has a fire separation distance of less than 30 feet from property lot lines, and an adjacent property has an existing structure or otherwise can be built on, the water supply shall provide the minimum fire flow of that equal to the building size and type referenced in Table B105.1(2) for the building.

Section 3313.3.2 Fire separation of 30 feet up to 60 feet. Amend Section 3313.3.2 to read as follows:

3313.3.2 Fire separation of 30 feet up to 60 feet. Where a building of Type III, IV, or V construction has a fire separation distance of 30 feet up to 60 feet from property lot lines, and an adjacent property has an existing structure or otherwise can be built on, the water supply shall provide a minimum fire flow of that equal to the building size and type referenced in Table B105.1(2) for the building.

Section 3313.3.3 Fire separation of 60 feet or greater. Amend Section 3313.3.3 to read as follows:

3313.3.3 Fire separation of 60 feet or greater. Where a building of Type III, IV, or V construction has a fire separation of 60 feet or greater from a property lot line, a water supply shall provide the

minimum fire flow required for the building size and type referenced in Table B105.1(2) for the building.

Section 3313.4 Vertical construction. Amend Section 3313.4 to read as follows:

3313.4 Vertical construction, Type I and II construction. When combustible building materials and/or fuel powered stationary equipment are delivered to the construction site, water supply in accordance with Section 3313.2 shall be provided.

SECTION 3314 STANDPIPES

Section 3314.1 Where required. Amend Section 3314.1 to read as follows:

3314.1 Where required. In buildings required to have standpipes by Section 905.3.1, not less than one standpipe shall be provided for use during construction. Such standpipes shall be installed prior to construction exceeding 30 feet in height above the lowest level of fire department vehicle access. Such standpipes shall be provided with fire department hose connections at locations adjacent to stairways complying with Section 3312.1. As construction progresses, such standpipes shall be extended to within one floor of the highest point of construction having secured decking or flooring. Additional standpipes may be required by request of the fire code official.

SECTION 3319 ONE AND TWO-FAMILY DWELLINGS. ADD A NEW SECTION 3319 TO READ AS FOLLOWS:

SECTION 3319 ONE AND TWO-FAMILY DWELLINGS.

3319.1 Where required. Add a new Section 3319.1 to read as follows:

3319.1 Where required. One and Two-Family Dwellings shall comply with this section. The following items are to be inspected by a qualified person and documented in accordance with section 3303.3.

This list shall include the following as applicable:

1. Fire hydrants are operational, clearly visible from access roads and are not obstructed.
2. Temporary heating equipment shall be in accordance with section 3304.
3. Street signs are visible and installed.
4. Construction site addressing visible and clear of obstructions.
5. Control of combustible waste material in accordance with section 3305.
6. Fire apparatus access roads required by section 3311 are maintained clear of obstructions that reduce the width of the usable roadway to less than 20 feet.
7. Portable fire extinguisher(s) on site and quickly accessible for use by all trades.
8. Any trades conducting hot work shall comply with section 3303.8.

CHAPTER 34 TIRE REBUILDING AND TIRE STORAGE

SECTION 3408 FIRE PROTECTION

Section 3408.3 Fire sprinklers. Add a new Section 3408.3 to read as follows:

3408.3 Fire sprinklers. Where the area for storage of tires exceeds the requirements of Section 903.2.9.2, the area shall be sprinklered in accordance with Section 903.3.1.1.

CHAPTER 35 WELDING AND OTHER HOT WORKCHAPTER 36 MARINASCHAPTER 37 COMBUSTIBLE FIBERSCHAPTER 38 HIGHER EDUCATION LABSCHAPTER 39 PROCESSING AND EXTRACTION FACILITIESSECTION 3903 PROCESSING AND EXTRACTION

Section 3903.1 Construction. Amend Section 3903.1 to read as follows:

3903.1 Construction. Processing shall be in a building complying with the International Building Code and Sections 3903.1.1 through 3903.7.1.

Section 3903.1.1 Extraction rooms. Add a new Section 3903.1.1 to read as follows:

3903.1.1 Extraction rooms. Extraction rooms utilizing hazardous materials shall be fully enclosed in accordance with the International Building Code.

Exception: Enclosed booths constructed in accordance with Chapter 24.

Section 3903.1.2 Penetrations. Add a new Section 3903.1.2 to read as follows:

3903.1.2 Penetrations. Shall be comply with Section 703

Section 3903.1.3 Means of egress. Add a new Section 3903.1.3 to read as follows:

3903.1.3 Means of egress. Means of egress shall comply with the following:

1. Exit doors leading from the extraction room shall swing in the direction of egress.
2. Exit doors from the extraction room must be provided with panic hardware.

Section 3903.1.4 Fire protection. Add a new Section 3903.1.4 to read as follows:

3903.1.4 Fire protection. Extraction rooms, booths, or hoods, including ductwork where required for hazardous exhaust systems, shall be protected by an approved automatic fire-extinguishing system complying with Chapter 9 where any of the following exist:

1. Extraction processes utilizing flammable and/or combustible materials, or off-gassing flammable vapors from spent plant material or oil.
2. Vapors are released exceeding 25% of the lower flammable limit from flammable liquid extraction processes or flammable liquid post-oil processing.

Section 3903.1.5 Electrical equipment. Add a new Section 3903.1.5 to read as follows:

3903.1.5 Electrical equipment. Extraction rooms, hoods, or booths utilizing hazardous materials shall be classified as a Class 1 Division 1 area in accordance with NFPA 70.

Section 3903.7 Smoking and open flames. Add a new Section 3903.7 to read as follows:

3903.7 Smoking and open flames. Smoking, open flames, direct-fired heating devices, and other similar equipment shall be prohibited in areas where flammable vapors exist.

Section 3903.7.1 Smoking. Add a new Section 3903.7.1 to read as follows:

3903.7.1 Smoking. Smoking shall be prohibited, and “No Smoking” signs shall be provided in accordance with Section 5003.7.1.

SECTION 3904 SYSTEMS AND EQUIPMENT

Section 3904.3 Equipment field verification. Add a new Section 3904.3 to read as follows:

3904.3 Equipment field verification. All newly installed extraction equipment shall be inspected, and location field verified by the fire code official.

Section 3904.3.1 Re-certification. Add a new Section 3904.3.1 to read as follows:

3904.3.1 Re-certification. The extraction equipment shall be recertified every 2 years by the manufacturer or by an approved third party. The recertification report shall include the following items from 3904.2.2.2: 1-5, 7 & 9-11.

Section 3904.4 Refrigerated equipment. Add a new Section 3904.4 to read as follows:

3904.4 Refrigerated equipment. Refrigerators, freezers, and other cooling equipment used to store or process flammable and/or combustible materials shall be listed for the storage of flammable/combustible liquids or be listed for Class 1, Division 1 locations. Equipment shall be in accordance with NFPA 45 and applicable provisions of the International Building Code and this code.

Section 3904.5 Explosion hazards. Add a new Section 3904.5 to read as follows:

3904.5 Explosion hazards. Where an explosion condition exists, heating equipment such as vacuum ovens, heating mantels, heat guns, or other equipment shall not be used to heat flammable or combustible liquids or oils containing LPG.

SECTION 3905 SAFETY SYSTEMS

Section 3905.1 Gas detection. Amend Section 3905.1 to read as follows:

3905.1 Gas detection. For extraction processes utilizing flammable gases as solvents, a continuous gas detection system complying with Section 916 shall be provided. The gas detection design shall be in compliance with Section 5001.3.3.19.

Section 3905.1.2 Failure of the gas detection system. Amend Section 3905.1.3 to read as follows:

3905.1.2 Failure of the gas detection system. Failure of the gas detection system shall result in the deactivation of the heating system; activation of the mechanical ventilation system where the system is interlocked with the gas detection system.

Section 3905.1.3 Gas detection components. Add a new Section 3905.1.2 to read as follows:

3905.1.3 Gas detection system components. Gas detection system control units shall be listed and labeled in accordance with UL 864 or UL 2017 for use with the vapors being detected.

Section 3905.1.4 Interlocks. Add a new Section 3905.1.4 to read as follows:

3905.1.4 Interlocks. Electrical components within the extraction room shall be interlocked with the gas detection system. Activation of the gas detection system shall disable all light switches and electrical outlets.

Section 3905.3 LPG use. Add a new Section 3905.3 to read as follows:

3905.3 LPG use. Extraction equipment utilizing LPG shall comply with Chapter 61 and NFPA 58

SECTION 3906 EXHAUST. ADD A NEW SECTION 3906 TO READ AS FOLLOWS:

SECTION 3906 EXHAUST

Section 3906.1 Exhaust system. Add a new Section 3906.1 to read as follows:

3906.1 Exhaust system. A hazardous exhaust system complying with this code and the International Mechanical Code shall be provided for flammable and/or combustible material extraction processes.

Exceptions:

1. Unheated distillation process with less than 1/2 gallon of flammable and/or combustible materials performed under a listed and labeled chemical fume hood installation complying with this code.
2. Solvent distillation units in compliance with Section 5705.4.

SECTION 3907 CO2 EXTRACTIONS. ADD A NEW SECTION 3907 TO READ AS FOLLOWS:

SECTION 3907 CO2 EXTRACTIONS

Section 3907.1 Carbon dioxide solvent. Add a new Section 3901.1 to read as follows:

3907.1 Carbon dioxide solvent. Extraction facilities using carbon dioxide as a solvent shall comply with 5307.

Section 3907.2 Calibration. Add a new Section 3907.2 to read as follows:

3907.2 Calibration. Auto calibrating and self-zeroing devices or detectors shall be prohibited.

CHAPTER 40 - STORAGE OF DISTILLED SPIRITS AND WINESSECTION 4003 PRECAUTIONS AGAINST FIRE

Section 4003.3.4 Electrical. Amend Section 4003.4 to read as follows:

4003.3.4 Electrical. Electrical wiring and equipment shall be installed and maintained in accordance with Section 603, Section 608, and NFPA 70.

Section 4003.4 Lightning. Amend Section 4003.4 to read as follows:

4003.4 Lightning. Structures containing barrel storage shall be protected from lightning. The lightning protection equipment shall be installed in accordance with NFPA 70 and NFPA 780.

Section 4003.5 Standby or emergency power. Add a new Section 4003.5 to read as follows:

4003.5 Standby or emergency power. Where mechanical ventilation, treatment systems, limit controls, alarm, detection, or other electrically operated systems are required, such systems shall be provided with an emergency or standby power system in accordance with NFPA 70 and Section 604.1, as amended.

Exception: Standby power for mechanical ventilation and limit control systems shall not be required where an approved fail-safe engineered system is installed.

Section 4003.6 Security. Add a new Section 4003.6 to read as follows:

4003.6 Security. The manufacture, production, and storage of distilled spirits and wines shall be safeguarded from unauthorized access in an approved manner.

SECTION 4004 STORAGE

Section 4004.1.1 Storage plan. Add a new Section 4004.1.1 to read as follows:

4004.1.1 Storage plan. Aisle and storage plans shall be submitted in accordance with Chapter 50.

Section 4004.1.2 Emergency planning. Add a new Section 4004.1.2 to read as follows:

4004.1.2 Emergency planning. Fire safety and evacuation plans in accordance with Section 404, shall be prepared, and maintained.

SECTION 4006 SIGNAGE

Section 4006.1 Hazard identification signs. Amend Section 4006.1 to read as follows:

4006.1 Hazard identification signs. Unless otherwise exempted by the fire code official, visible hazard identification signs, as specified in Section 5003.5 through 5003.6.2 and NFPA 704 for the specific material contained, shall be placed on stationary containers and above-ground tanks; at entrances to locations where hazardous materials are stored, dispensed, used, or handled in quantities requiring a permit; and at specific entrances and locations designated by the fire code official. Exception: Casks are not required to be labeled.

Section 4006.1.1 Maintenance and style. Amend Section 4006.1.1 to read as follows:

4006.1.1 Maintenance and style. Signs and markings required by Section 4006.1 shall not be obscured or removed; shall be in English as a primary language or in symbols permitted by this code; shall be durable; and the size, color, and lettering shall be as specified in Section 5003.6 through 5003.6.1.
Part V – Hazardous Materials

CHAPTER 50 HAZARDOUS MATERIALS

SECTION 5001 GENERAL

Section 5001.2.2 Hazard categories. Amend Section 5001.2.2 to read as follows:

5001.2.2 Hazard Categories. Hazardous materials shall be classified according to hazard categories. The categories include materials regulated by this chapter and materials regulated elsewhere in this code, including Appendix E for Hazard Categories.

Section 5001.3.3.19 Detection of a gas or vapor. Add a new Section 5001.3.3.19 to read as follows:

5001.3.3.19 Detection of a gas or vapor. Detection and alarm are required where a release of a hazardous material gas or vapor could cause immediate harm to any person by exceeding the permissible exposure level (PEL) of the gas, by decreasing the oxygen level to below 19.5 percent, or by exceeding 25 percent of the lower flammable limit (LFL) of a flammable gas. A detection and alarm system may initiate a means of mitigation of the dangerous effects of a release as well as notification to occupants.

SECTION 5003 GENERAL REQUIREMENTS

Section 5003.5 Hazard identification signs. Amend Section 5003.5 to read as follows:

5003.5 Hazard identification signs. Unless otherwise exempted by the fire code official, visible hazard identification signs as specified in NFPA 704 for the specific material contained shall be placed on stationary containers and above-ground tanks and at entrances to locations where hazardous materials are stored, dispensed, used, or handled in quantities requiring a permit and at specific entrances and locations per section 5003.6.2 or designated by the fire code official.

Section 5003.5.1 Markings. Amend Section 5003.5.1 to read as follows:

5003.5.1 Markings. Individual containers, cartons, or packages shall be conspicuously marked or labeled in an approved manner. Rooms or cabinets containing hazardous materials shall be conspicuously labeled, for example: "COMPRESSED GAS"

Section 5003.6.1 Size. Add a new section 5003.6.1 to read as follows:

5003.6.1 Size. Exterior of the structure the NFPA 704 signs shall be a minimum of 10 IN X 10 IN with each individual block being a minimum of 5 IN X 5IN. The hazard ranking numbers shall be a minimum of 4 IN in height and 2.5 IN in width, with a 5/8 stroke. Interior door leading to rooms storing hazardous materials the NFPA 704 signs shall be a minimum of 7-1/2 IN X 7-1/2 IN with each individual block being a minimum of 3 1/4 IN X 3-1/4 IN. The hazard ranking numbers shall be a minimum of 3 IN in height and 2 IN in width, with a 13/32 stroke. NFPA 704 labels on containers, cartons, cabinets, cylinders, and packages shall be a minimum of 5 IN X 5 IN with each individual block being a minimum of 2-1/2 IN X 2-1/2 IN. The hazard ranking numbers shall be a minimum of 2 IN in Height and 1.5 IN in width, with a 5/16 stroke. All letters and numbers on the NFPA 704 shall be black in color.

Section 5003.6.2 Location of signs. Add a new Section 5003.6.2 to read as follows:

5003.6.2 Location of signs. Signs shall be in locations approved by the fire code official and as a minimum shall be posted at the following locations:

1. Two exterior walls, doors, or enclosures containing a means of access to a building or facility.
2. Each access to a room or area that contains hazardous materials.
3. Each principal means of access to an exterior storage area that contains hazardous materials.

SECTION 5004 STORAGE

Section 5004.1 Scope. Amend 5004.1 to read as follows:

5004.1 Scope. Storage of hazardous materials in amounts exceeding the maximum allowable quantity per control area as set forth Section 5003.1 shall be in accordance with Sections 5001, 5003, 5004, and 5005.

Storage of hazardous materials in amounts not exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Section 5001, 5003, and 5004.2. Retail and wholesale storage and display of nonflammable solid and nonflammable and

noncombustible liquid hazardous materials in Group M occupancies and Group S storage shall be in accordance with Section 5003.11.

Section 5004.2 Spill control and secondary containment for liquid and solid hazardous materials. Amend Section 5004.2 to read as follows:

5004.2 Spill control and secondary containment for liquid and solid hazardous materials. Regardless of the MAQ, rooms, buildings or area for the storage of liquid or solid hazardous materials shall be provided with spill control and secondary containment in accordance with Section 5004.2.1 through 5004.2.3.

Exception: Outdoor storage of containers on approved containment palettes in accordance with Section 5004.2.3.

Section 5004.2.1 Spill control for hazardous material liquids. Amend Section 5004.2.1 to read as follows:

5004.2.1 Spill control for hazardous material liquids. Rooms, buildings or areas used for storage of hazardous materials liquids in individual vessels having a capacity of more than 55 gallons, or in which the aggregate capacity of multiple vessels exceeds 120 gallons, shall be provided with spill control to prevent the flow of liquids to adjoining areas. Floors in indoor locations and similar surfaces in outdoor locations shall be constructed to contain a spill from the largest single vessel by one of the following methods:

1. Liquid-tight sloped or recessed floors in indoor locations or similar areas in outdoor locations.
2. Liquid-tight floors in indoor locations or similar areas in outdoor locations provided with liquid-tight raised or recessed sills or dikes.
3. Sumps and collection systems.
4. Other approved engineered systems.

Except for surfacing, the floors, sills, dikes, sumps and collection systems shall be constructed of noncombustible material, and the liquid-tight seal shall be compatible with the material stored. When liquid tight sills or dikes are provided, they are not required at perimeter openings having an open-trench across the opening that connects to an approved collection system.

Section 5004.2.2 Secondary containment for hazardous material liquids and solids. Amend Section 5004.2.2 to read as follows:

5004.2.2 Secondary containment for hazardous material liquids and solids. Where required by Table 2704.2.2 buildings, rooms or areas used for the storage of hazardous materials liquids or solids shall be provided with secondary containment in accordance with this section when the capacity of an individual vessel or the aggregate capacity of multiple vessels exceeds the following:

1. Liquids: Capacity of an individual vessel exceeds 55 gallons (114 L) or the aggregate capacity of multiple vessels exceeds 120 gallons (454 L); and

2. Solids: Capacity of an individual vessel exceeds 550 pounds (136.1 kg) or the aggregate capacity of multiple vessels exceeds 1,000 pounds (249.5 kg).

CHAPTER 51 AEROSOLS

CHAPTER 52 RESERVED

CHAPTER 53 COMPRESSED GASES

SECTION 5306 MEDICAL GASES

Section 5306.5 Medical gas systems and equipment. Amend Section 5306.5 to read as follows:

5306.5 Medical gas systems and equipment. Medical gas systems and equipment shall be installed, tested and labeled in accordance with NFPA 99 and the general provisions of this chapter. Existing medical gas systems and equipment shall be used and maintained in accordance with the use, maintenance, inspection and testing provisions of NFPA 99 for medical gas systems and equipment. Veterinary clinics shall comply with NFPA 99, Chapter 15 Dental Gas and Vacuum Systems.

SECTION 5307 COMPRESSED GASES NOT OTHERWISE REGULATED

Section 5307.2.1 Gas detection system. Amend section 5307.2.1 to read as follows:

5307.2.1 Gas detection system. In rooms or areas not provided with ventilation in accordance with Section 5307.2 or where over 6,000 cubic feet of compressed gas is stored or used, a gas detection system complying with Section 916, or where approve, and oxygen depletion alarm system, either of which initiates audible and visual alarm signals in the room or area where sensors are installed, shall be provided.

Section 5307.2.2 Auto Shutoff Add Section 5307.2.2 to read as follows:

5307.2.2 Auto Shutoff. Where over 6,000 cubic feet of compressed gas is in use and connected to a system and ventilation per Section 5307.2 is not provided, a gas detection system that activates an automatic fail-safe feature that shuts off the flow from the supply tank upon activation is required.

Section 5307.2.3 Signage. Add Section 5307.2.3 to read as follows:

5307.2.3 Signage. Hazard identification signs shall be posted at the entrance to the room and indoor areas where the inert gas is located, and at the entrance to the room or indoor area where the inert gas containers are located. The sign shall be not less than 8 inches (200 mm) in width and 6 inches (150 mm) in height and indicate:

Section 5307.2.3.1 Inert gas systems. Add Section 5307.2.3.1 to read as follows:

5307.2.3.1 Inert gas systems.

CAUTION -INERT GAS IF ALARM IS SOUNDING VENTILATE THE AREA BEFORE
ENTERING A HIGH INERT GAS CONCENTRATION IN THIS AREA CAN CAUSE
ASPHYXIATION

Section 5307.3.1 Ventilation Amend section 5703.3.1 to read as follows:

5307.3.1 Ventilation. Where insulated liquid carbon dioxide storage tanks, cylinders, piping and equipment are located indoors, rooms or areas containing storage tanks, cylinders, piping and equipment, and other areas where a leak of carbon dioxide is expected to accumulate, shall be provided with mechanical ventilation in accordance with Section 5004.3 and designed to maintain the room containing carbon dioxide at a negative pressure in relation to the surrounding area. These systems shall comply with the system requirements in 5004.3.1 and shall be equipped with Standby or emergency power per 5004.7.

Exception: A gas detection system with a fail-safe auto shut off, complying with Section 5307.3.1 shall be permitted in lieu of mechanical ventilation.

Section 5307.3.2 Gas detection system. Amend Section 5307.3.2 to read as follows:

5307.3.2 Gas detection system. Where a carbon dioxide system in accordance with Section 5307.3 is in use, a gas detection system shall be provided in rooms or indoor areas and in below-grade outdoor locations with insulated carbon dioxide systems. Carbon dioxide sensors shall be provided within 12 inches (305 mm) of the floor in the area where the gas is expected to accumulate or other approved locations.

The system shall be designed as follows:

1. Activates an audible and visible supervisory alarm at a normally attended location upon detection of a carbon dioxide concentration of 5,000 ppm (9000 mg/m³).
2. Activates an audible and visible alarm within the room or the immediate area where the system is installed upon detection of a carbon dioxide concentration of 30,000ppm (54 000 mg/m³).
3. Activates a fail-safe feature that shuts off flow from the supply tank upon reaching 5,000 ppm (9000 mg/m³) and/or loss of power.

Exception: A ventilation system complying with Section 5307.3.2 shall be permitted in lieu of a fail-safe auto shutoff.

SECTION 5308 CARBON DIOXIDE (CO²) GAS ENRICHMENT SYSTEMS USING A NATURAL GAS BURNER IN PLANT GROWING (HUSBANDRY) APPLICATIONS. ADD A NEW SECTION 5308 TO READ AS FOLLOWS:

SECTION 5308 CARBON DIOXIDE (CO²) GAS ENRICHMENT SYSTEMS USING A NATURAL GAS BURNER IN PLANT GROWING (HUSBANDRY) APPLICATIONS

Section 5308.1 General. Add a new Section 5308.1 to read as follows:

5308.1 General. Natural gas burners that are utilized to generate carbon dioxide (CO²) in plant growing (husbandry) applications shall comply with Sections 5308.2 through 5308.6. A mechanical exhaust system shall be provided as required by 5308.6 and the International Mechanical Code. This code section shall apply to all applications in new and existing buildings.

Section 5308.2 Permits. Add a new Section 5308.2 to read as follows:

5308.2 Permits. Permits shall be required in accordance with Sections 105.6 and 105.7.

Section 5308.3 Equipment. Add a new Section 5308.3 to read as follows:

5308.3 Equipment. Natural gas burners shall be listed, labeled, and installed in accordance with the manufacturer's installation instructions. Piping systems, combustion and ventilation air, and venting for natural gas appliances shall be designed and installed in accordance with approved standards, the International Fuel Gas Code, and manufacturer's recommendations.

Section 5308.4 Required protection. Add a new Section 5308.4 to read as follows:

5308.4 Required protection. A carbon dioxide (CO₂) gas detection system shall be provided in accordance with Section 5308.4.1 and a carbon monoxide (CO) gas detection system shall be provided in accordance with Section 5308.4.2.

Section 5308.4.1 Carbon dioxide (CO₂) detection. Add a new Section 5308.4.1 to read as follows:

5308.4.1 Carbon dioxide (CO₂) detection. Rooms or areas where carbon dioxide is used indoors or in enclosed outdoor locations shall be provided with a carbon dioxide gas detection and alarm system.

Section 5308.4.1.1 Detectors. Add a new Section 5308.4.1.1 to read as follows:

5308.4.1.1. Detectors. Detectors shall comply with all of the following:

1. Suitable for the use intended and shall be listed or approved.
2. Permanently mounted.
3. Installed at a height of no more than 18 inches above the floor.
4. Directly connected to building electrical or fire alarm systems and protected from accidental disconnection or damage.
5. Auto calibrating and self "zeroing" devices are not permitted unless they can be zeroed and spanned.
6. Where the point of use is remote from the supply a detection and alarm system is required for each point of use.

Section 5308.4.1.2 Notification. Add a new Section 5308.4.1.2 to read as follows:

5308.4.1.2 Notification. The detection system shall be capable of notifying personnel in the immediate area of a leak at 5,000 parts per million. Upon reaching 30,000 parts per million this system must notify all building occupants of a mandatory evacuation.

Exception: Systems with a fail-safe feature that shuts off carbon dioxide flow from the source upon reaching 5,000 parts per million or loss of power are not required to notify building occupants at 30,000 parts per million.

Section 5308.4.1.3 Signage. Add a new Section 5308.4.1.3 to read as follows:

5308.4.1.3 Signage. Shall be in compliance with Section 5307.

Section 5308.4.1.4 Shut down. Add a new Section 5308.4.1.4 to read as follows:

5308.4.1.4 Shut down. All carbon dioxide (CO²) burner systems shall shut down in the event of a loss of electrical power to the carbon dioxide (CO²) detectors.

Section 5308.4.2 Carbon monoxide (CO) detection. Add a new Section 5308.4.2 to read as follows:

5308.4.2 Carbon monoxide (CO) detection. Rooms or areas where carbon dioxide burners are used indoors or in enclosed outdoor locations shall be provided with a carbon monoxide gas detection and alarm system.

Section 5308.4.2.1 Detectors. Add a new Section 5308.4.2.1 to read as follows:

5308.4.2.1 Detectors. Detectors shall comply with all of the following:

1. Shall be listed or approved for the intended use.
2. Permanently mounted.
3. Installed per manufacturer's recommendations and directions.
4. Directly connected to building electrical and protected from accidental disconnection or damage.

Section 5308.4.2.2 Notification. Add a new Section 5308.4.2.2 to read as follows:

5308.4.2.2 Notification. The CO detection system shall be capable of notifying personnel in the immediate area of a leak at 35 ppm and upon activation shall initiate the following:

1. Close the valve to each burner.
2. Activate the mechanical exhaust system.

Section 5308.4.2.3 Shut down. Add a new Section 5308.4.2.3 to read as follows:

5308.4.2.3 Shut down. All carbon dioxide (CO²) burner systems shall shut down in the event of a loss of electrical power to the carbon monoxide (CO) detectors.

Section 5309.5 Detector testing. Add a new Section 5309.5 to read as follows:

5309.5 Detector testing. The equipment, systems and devices listed in 5308.4 shall be tested annually and in accordance with the approved manufacturer's requirements.

Section 5308.6 Ventilation. Add a new Section 5308.6 to read as follows:

5308.6 Ventilation. Mechanical ventilation shall be installed in addition to a detection and alarm system as required in Section 5308.4. All gas systems shall have ventilation installed as required by Sections 5001.3.3.10, 5004.3 through 5004.3.1, and the International Mechanical Code. Construction plan data and/or a technical report by a registered design professional shall be submitted to the fire

code official demonstrating compliance with the requirements. Approved plans/permits for ventilation from the governing mechanical authority shall be prima facie evidence for compliance.

Exception: No ventilation is required for those systems equipped with a gas detection fail-safe feature, as described in the exception for 5308.4.1.2.

CHAPTER-54 CORROSIVE MATERIALS

CHAPTER-55 CRYOGENIC FLUIDS

CHAPTER-56 EXPLOSIVES AND FIREWORKS

SECTION 5601 GENERAL

Section 5601.1.3 Fireworks. Amend Section 5601.1.3 to read as follows:

5601.1.3 Fireworks. The possession of permissible fireworks as defined by 12-28-101 C.R.S. and as permitted by Article 28 of Title 12 C.R.S. shall be permitted by individuals over the age of sixteen years. No fire protection district shall prohibit the sale of permissible fireworks, as defined in section 32-1-1002 (1) (d).

Exceptions:

1. Storage handling of fireworks as permitted in Section 5604.
2. Manufacture, assembly and testing of fireworks as permitted in Section 5605.
3. The use of fireworks for fireworks display as permitted in Section 5608.
4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where permitted by applicable laws (Article 28 of Title 12 C.R.S.), ordinances and regulations, provided that such fireworks and facilities comply with the 2006 edition of NFPA 1124, CPSC 16 CFR Parts 1500 and 1507, and DOTn 49 CFR Parts 100-185, as applicable for consumer fireworks.

SECTION 5608 FIREWORKS DISPLAY

Section 5608.1 General. Amend Section 5608.1 to read as follows:

5608.1 General. Outdoor fireworks display, use of pyrotechnics before a proximate audience, and pyrotechnic special effects in motion picture, television, theatrical, and group entertainment productions shall comply with Sections 5608.2 through 5608.10 and NFPA 1123, ~~or~~ NFPA 1126 and/or NFPA 160, as applicable.

Section 5608.2.1.1 Fire extinguishers. Add a new Section 5608.2.1.1 to read as follows:

5608.2.1.1 Fire extinguishers. The person, group, or organization sponsoring the firework display shall consult with the fire code official to determine the level of fire protection required. Four or more fire extinguishers of the classification and size as approved by the fire code official shall be readily accessible while the pyrotechnics are being loaded, prepared for firing, or fired.

Section 5608.2.1.2 Standby personnel. Add a new Section 5608.2.1.2 to read as follows:

5608.2.1.2 Standby personnel. Standby fire department personnel and equipment may be required by the fire department prior to and during the event. The fire department shall be reimbursed by the event coordinator or responsible party for all costs associated with providing this service.

Section 5608.2.1.3. Weather conditions. Add a new Section 5608.2.1.3 to read as follows:

5608.2.1.3 Weather conditions. Firework displays if permitted during “High” or “Very High” fire danger conditions shall require a minimum of one dedicated brush truck with sufficient staffing to operate said vehicle at the site of the display both prior to and throughout the event. The total number of equipment and staffing shall be approved by the fire code official. Firework displays are prohibited during any issued burn bans, extreme fire danger, or red flag warning conditions.

Exception: Scheduled public events held over well-irrigated landscaping and/or bodies of water as approved by the fire code official and the presence of standby equipment and personnel.

Section 5608.6.1 Mortar rack reinforcement. Add a new Section 5608.6.1 to read as follows:

5608.6.1 Mortar rack reinforcement. Aboveground mortar racks shall be constructed and secured to withstand a catastrophic malfunction in a mortar rack(s). Added sandbag reinforcement to the mortar rack(s) shall be required. Sandbags shall be used to secure mortar rack(s) and to prevent tip-over or movement. Placement of sandbags at the mortar rack(s) shall be on spectator sides of the rack(s) and on each end of a rack or group of racks at a minimum. The sandbags shall be stacked to a minimum height of three-fourths (3/4) of the rack(s) frame height.

Section 5608.8.1 Wind speed. Add new Section 5608.8.1 to read as follows:

5608.8.1 Wind speed. Firework displays shall not be fired when wind speeds measured by the fire code official are exceeding 15 mph.

CHAPTER-57 FLAMMABLE AND COMBUSTIBLE LIQUIDS

CHAPTER-58 FLAMMABLE GASES AND FLAMMABLE CRYOGENIC FLUIDS

CHAPTER-59 FLAMMABLE SOLIDS

CHAPTER-60 HIGHLY TOXIC AND TOXIC MATERIALS

CHAPTER-62 ORGANIC PEROXIDES

CHAPTER-61 LIQUEFIED PETROLEUM GASSES

SECTION 6109 STORAGE OF PORTABLE LP-GAS CONTAINERS AWAITING USE OR RESALE

Section 6109.13 Protection of containers. Amend Section 6901.13 to read as follows:

6109.13 Protection of containers. LP-gas containers shall be stored within a suitable enclosure or otherwise protected against tampering. Vehicle impact protection shall be provided as required by Section 6107.4.

CHAPTER-63 OXIDIZERS, GASSES, AND CRYOGENIC FLUIDS

CHAPTER-64 PYROPHORIC MATERIALS

CHAPTER-65 PYROXYLIN (CELLULOSE NITRATE) PLASTICS

CHAPTER-66 UNSTABLE (REACTIVE) MATERIALS

CHAPTER-67 WATER REACTIVE SOLIDS AND LIQUIDS

Part VI – Reference Standards

CHAPTER-80 REFERENCED STANDARDS

SECTION 8001 GENERAL. ADD A SECTION 8001 TO READ AS FOLLOWS:

8001 GENERAL

SECTION 8001.1 Adoption of Standards. Add a new Section 8001.1 as follows:

Section 8001.1 Adoption of Standards. In every case where this code references NFPA standards, the most current edition, to include TIA's and errata's of said standards is hereby adopted. The current edition shall become effective on January 1 of the year following NFPA's effective date for said standard.

AMEND CHAPTER 80 ADD REFERENCES TO READ AS FOLLOWS:

ACR	American College of Radiology safety guidelines
DISCUS	Distilled Spirits Council of U.S. 1250 Eye Street, NW Suite 400, Washington D.C. 20005 Recommended Fire Protection Practices for Distilled Spirits Beverage Facilities
NFPA 418	Standard for Heliports
NFPA 497	Recommended Practice for the Classification of Flammable Liquids, Gases, or Vapors and of Hazardous (Classified) Locations for Electrical Installations in Chemical Process Areas
NFPA 855	Standard for Installation of Stationary Energy Storage Systems
NFPA 1225	Standard for Emergency Services Communications
UL 2272	2016 Electrical Systems for Personal E-Mobility Devices
UL 2849	2020 Electrical Systems for eBikes
MUTCD	Manual on Uniform Traffic Control Devices for Streets and Highways

Part VII - Appendices

APPENDIX A - BOARD OF APPEALS

Appendix A is adopted with the following amendments.

SECTION A101 GENERAL

Section A101.3 Membership of board. Amend Section A101.3 to read as follows:

A101.3 Membership of board. The board shall consist of all elected members of the Fire Protection District Board of the authority having jurisdiction. The fire code official shall be an ex officio member of said board but shall not vote on any matter before the board.

Section A101.3.1 Qualifications. Delete Section A101.3.1 in its entirety.

Section A101.3.2 Alternate members. Delete Section A101.3.2 in its entirety.

Section A101.3.3 Vacancies. Delete Section A101.3.3 in its entirety.

Section A101.3.4 Chairperson. Delete Section A101.3.4 in its entirety.

Section A101.3.5 Secretary. Delete Section A101.3.5 in its entirety.

Section A101.3.6 Conflict of interest. Delete Section A101.3.6 in its entirety.

Section A101.3.7 Compensation of members. Delete Section A101.3.7 in its entirety.

Section A101.3.8 Removal from the board. Delete Section A101.3.8 in its entirety.

Section A101.4 Rules and procedures. Amend Section A101.4 to read as follows:

A101.4 Rules and procedures. The board should maintain current established policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence but should mandate that only relevant information be presented. The fire code official may request outside fire code officials from neighboring jurisdictions to be present to assist with interpretation of this code.

Section A101.5 Notice of meetings. Amend Section A101.5 to read as follows:

A101.5 Notice of meetings. The board shall meet on their normal schedule of public meetings. Notice of meetings shall be within the board's normal notices and should not differ from existing proceedings.

Section A101.5.1 Open hearing. Delete Section A101.5.1 in its entirety.

Section A101.5.2 Quorum. Delete Section A101.5.2 in its entirety.

Section A101.5.3 Postponed hearing. Delete Section A101.5.3 in its entirety.

Section A101.6 Legal counsel. Amend Section A101.6 to read as follows:

A101.6 Legal counsel. The jurisdiction should consult with their currently established counsel to the board to provide general legal advice concerning matters before them for consideration.

Section A101.7 Board decision. Amend Section A101.7 to read as follows:

A101.7 Board decision. The board shall only modify or reverse the decision of the fire code official by a majority vote of the board members.

Section A101.8 Court review. Amend Section A101.8 to read as follows:

A101.8 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. The fire district board shall operate in accordance with their established rules, regulations and procedure in accordance with Colorado Revised Statute Title 32.

APPENDIX B – FIRE FLOW REQUIREMENTS

Appendix B is adopted in its entirety.

APPENDIX C FIRE HYDRANT LOCATION & DISTRIBUTION

Appendix C is adopted in its entirety.

APPENDIX D – FIRE APPARATUS ACCESS ROADS

Appendix D is adopted with the following amendments.

SECTION D102 REQUIRED ACCESS

Section D102.1 Access and loading. Amend Section D102.1 to read as follows:

D102.1 Access and loading. Facilities, buildings, or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with asphalt, concrete, or other approved driving surface capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds with a minimum single axle weight of 27,000 pounds. Alternative methods such as brick pavers, road, base, and gravel as approved by the fire code official.

SECTION D103 MINIMUM SPECIFICATIONS

Figure D103.1 Dead-End Fire Apparatus Access Roads. Amend Figure D103.1 to depict as follows:

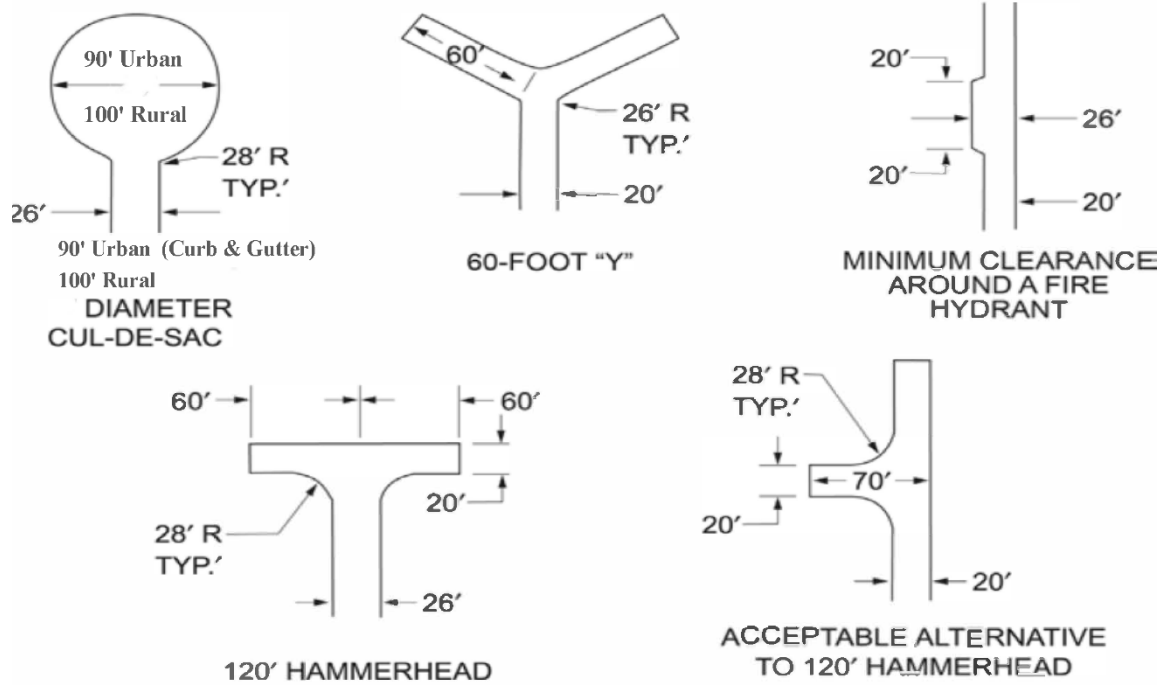


Table D103.4 Requirements for Dead-End Fire Apparatus Access Roads. Amend Table D103.4 to read as follows:

LENGTH (feet)	WIDTH (feet)	TURNAROUND REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 90' urban (curb & gutter), 100' rural diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 90' urban (curb & gutter), 100' rural diameter cul-de-sac in accordance with Figure D103.1
Over 750		Special approval required

For SI: 1 foot = 304.8 mm.

Section D103.5 Fire apparatus road gates. Amend Section D103.5 to read as follows:

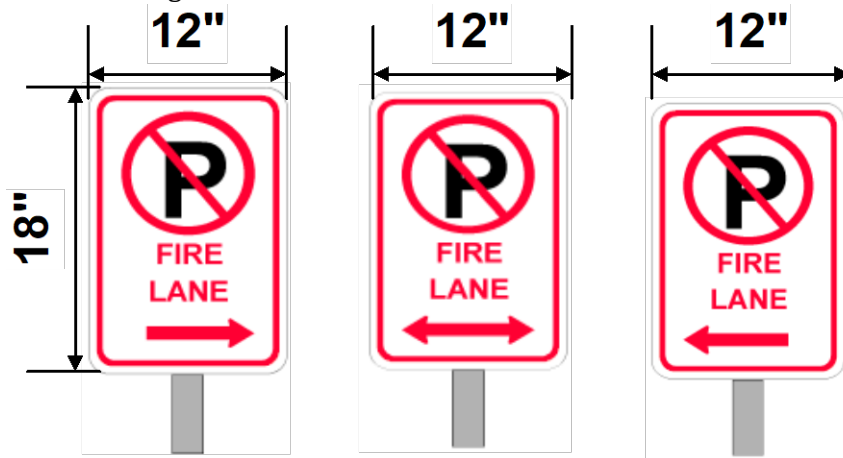
D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Where a single gate is provided, the gate clear opening width shall be not less than 16 or as approved as the approved as the fire code official. Where a fire apparatus road consists of a divided roadway, the gate clear opening width shall be not less than 16 or as approved as the approved as the fire code official.
2. Gates shall be approved by the fire code official.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. When outbound/egress movements do not include an automatic method of the gate opening when a vehicle is present, an approved means of opening the gate by the fire department shall be provided. Emergency opening devices shall be approved by the fire code official.
6. Methods of locking shall be submitted for approval by the fire code official.
7. Electric gate operators, where provided, shall be listed in accordance with UL 325.
8. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F2200.

Section D103.6 Signs. Amend Section D103.6 to read as follows:

D103.6 Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent “NO PARKING – FIRE LANE” signs complying with Figure D103.6 or Figure D103.6.1. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

Add a new Figure D103.6.1 to read as follows:



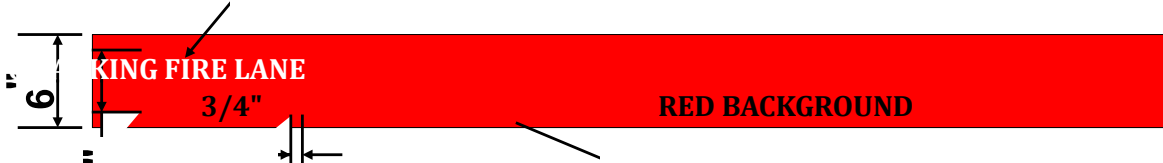
Section D103.6.3 Striping. Add a new section D103.6.3 to read as follows:

D103.6.3 Striping. The curb or edge of the fire apparatus access roads shall be marked by painted lines of red traffic paint six (6) inches in width to show the boundaries of the lane. Where a posted fire lane sign is not used by the approval of the fire code official. The words “NO PARKING FIRE LANE” shall appear in four (4) inch white reflective letters at thirty (30) feet intervals on the red border

marking complying with Figure D103.6.3.1. Where a curb is available, the striping shall be on the vertical face of the curb.

Add a new Figure D103.6.3.1 to read as follows:

WHITE REFLECTIVE LETTERING



SECTION D104 COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

Section D104.3 Remoteness. Amend Section D104.3 to read as follows:

D104.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

Exception: The fire code official is authorized to modify this requirement when the required remoteness is not possible due to the location on property, topography, waterways, non-negotiable grades or similar.

SECTION D106 MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

D106.3 Remoteness. Amend Section D106.3 to read as follows:

D106.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

Exception: The fire code official is authorized to modify this requirement when the required remoteness is not possible due to the location on property, topography, waterways, non-negotiable grades or similar.

SECTION D107 ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

Section D107.1 One- or two-family dwelling residential developments. Amend D107.1 to read as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

1. Where there are more than 30 dwelling units on accessed from a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.

2. The number of dwelling units on accessed from a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.
3. The fire code official is authorized to modify the requirement of two separate and approved fire apparatus access roads, when they are not possible due to location on property, topography, waterways, non-negotiable grades, or similar.

Section D107.2 Remoteness. Amend Section D107.2 to read as follows:

D107.2 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

Exception: The fire code official is authorized to modify this requirement when the required remoteness is not possible due to the location on property, topography, waterways, non-negotiable grades or similar.

APPENDIX E – HAZARD CATEGORIES

Appendix E is adopted for informational purposes only.

APPENDIX F – HAZARD RANKING

Appendix F is adopted for informational purposes only.

APPENDIX G – CRYOGENIC FLUIDS – WEIGHT AND VOLUME EQUIVALENTS

Appendix G is adopted for informational purposes only.

APPENDIX H – HAZARDOUS MATERIALS MANAGEMENT PLAN (HMMP) AND HAZARDOUS MATERIALS INVENTORY STATEMENT (HMIS) INSTRUCTIONS

Appendix H is adopted for informational purposes and details the required information and format for submittal of a Hazardous Material Management Plan.

APPENDIX I – FIRE PROTECTION SYSTEMS – NONCOMPLIANT CONDITIONS

Appendix I is adopted for informational purposes only.

APPENDIX J – BUILDING INFORMATION SIGN

Appendix J is adopted for informational purposes only.

APPENDIX K – CONSTRUCTION REQUIREMENTS FOR EXISTING AMBULATORY CARE FACILITIES

Appendix K is adopted for informational purposes only.

APPENDIX L – REQUIREMENTS FOR FIRE FIGHTER AIR REPLENISHMENT SYSTEMS

Appendix L is adopted for informational purposes only.

APPENDIX M – HIGH-RISE BUILDINGS – RETROACTIVE AUTOMATIC SPRINKLER REQUIREMENT

Appendix M is adopted for informational purposes only.

APPENDIX N – INDOOR TRADE SHOWS AND EXHIBITIONS

Appendix N is adopted for informational purposes only.

**TOWN OF MONUMENT
ORDINANCE NO. 05-2026**

**AN ORDINANCE REPEALING AND READOPTING CHAPTER 15.12 OF THE
MONUMENT MUNICIPAL CODE AND ADOPTING THE INTERNATIONAL FIRE
CODE, THE COLORADO WILDFIRE RESILIENCY CODE, AND ALL LOCAL
AMENDMENTS**

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 established enabling responsible community development as a strategic priority for 2026–2028, emphasizing the importance of clear, consistent, and accountable plans, processes, and procedures that foster positive conditions for thoughtful, sustainable, and enduring growth within the community; and

WHEREAS, the Tri-Lakes Monument Fire Protection District, D/B/A Monument Fire District (“MFD”), lies within the boundaries of the Town of Monument, Colorado and unincorporated portions of El Paso County, Colorado; and

WHEREAS, on January 26, 2026, the MFD adopted by MFD Resolution No. 2026-03 the 2021 International Fire Code (“IFC”) with local amendments and the Colorado Wildfire Resiliency Code (“CWRC”) after finding that both align the MFD with the regional fire code standards established through collaborative work by the El Paso County Fire Marshals Committee, the Pike Peak Fire Chiefs Council, the Pikes Peak Regional Building Department, the Housing and Building Association, and El Paso County Planning & Community Development Department and with the input of the Town of Monument; and

WHEREAS, the Council has determined that it is necessary to repeal and readopt Chapter 15.12 of the Monument Municipal Code (“Code”) to bring it into conformance with the Charter and provide general updates consistent with the fire codes adopted by the MFD; 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 March 16, 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. Repeal and Readopt Chapter 15.12 of the Monument Municipal Code. Chapter 15.12 of the Code is repealed and readopted as set forth on Exhibit A, attached hereto and incorporated herein.

Section 3. Publication. Pursuant to Section 6.5, 3 of the Charter and Subsection 2.04.04, F. 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 the 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, proved 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 16th day of March 2026, 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. 05-2026

Chapter 15.12 – FIRE CODES ADOPTED

15.12.010 – Purpose.

The purpose of this Chapter is to adopt fire and wildfire code standards applicable within the Town of Monument and to establish an automatic adoption process for future updates made by the fire protection district serving the Town.

15.12.020 – Definitions.

- A. “Monument Fire District” means the Tri-Lakes Monument Fire Protection District, d/b/a Monument Fire District, which is the fire protection district legally providing fire protection and emergency services within the Town of Monument.
- B. “International Fire Code” or “IFC” means the International Fire Code, as published by the International Code Council, including any appendices and amendments adopted by the Monument Fire District.
- C. “Colorado Wildfire Resiliency Code” means the Wildfire Resiliency Code adopted pursuant to Colorado state law, as adopted by the Monument Fire District.
- D. “Local Amendments” means any amendments, additions, or deletions adopted by the Monument Fire District that modify the IFC or the Colorado Wildfire Resiliency Code.

15.12.030 – Adoption of Fire and Wildfire Codes By Reference.

The Town of Monument hereby adopts the International Fire Code, the Colorado Wildfire Resiliency Code, and all Local Amendments as adopted by the Fire District, except for any provisions expressly exempted or modified by ordinance of the Town Council.

15.12.040 - Automatic Adoption of Updated Codes.

- A. Upon the Fire District’s adoption of a new edition of the International Fire Code, the Colorado Wildfire Resiliency Code, or any related Local Amendments, such new edition or amendments—unless expressly exempted in whole or in part by the Town Council—are automatically adopted by the Town of Monument.
- B. Codes and amendments adopted under this Section take full force and effect within the Town on the date of adoption by the Fire District.

15.12.100 – Conflicts.

If a conflict arises between the provisions of this Chapter and any other provision of the Monument Municipal Code, the provisions of this Chapter control unless expressly stated otherwise by ordinance of the Town Council.

8.20.060 - Copies on File.

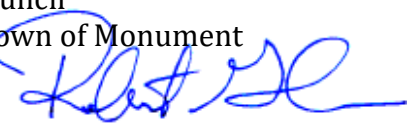
At least one copy of each code adopted under this Chapter shall be maintained and available for public inspection in the office of the Town Clerk.

MEMORANDUM

March 5, 2026

VIA E-MAIL

TO: Mayor Mitch LaKind
Town Council
Town of Monument

FROM: Bob Cole 

RE: Repeal and Readopted Title 8 and Amend Title 2, Monument Municipal Code

Enclosed for your consideration at your March 16, 2026, Town Council meeting is an Ordinance Amending Sections 2.36.500, 2.36.600, and 2.36.700 and Repealing and Readopting Title 8 of the Monument Municipal Code. The amendments to Title 2 shown in Exhibit A of the Ordinance are needed to accurately cross reference the updated enforcement provisions in Title 8. These revisions are shown in Exhibit A in amendment format, with added text being double lined and deleted text stricken.

The primary focus of the Ordinance is the Title 8 revisions that are reflected in Exhibit B to the Ordinance. Because the revisions to Title 8 are so extensive, Exhibit B is in a clean, repeal and readopted format. Attached to this memorandum is a redline if you want to see to how the recommended revisions compare to Title 8 as it currently exists.

The primary revisions reflected in the current version compared to the version discussed with you at your January 5, 2026, meeting are summarized below. The attached redline should be consulted for the exact revisions being suggested. The latest revisions include:

1. The Title 2 revisions mentioned above have been added as Exhibit A and the Title 8 revisions moved to Exhibit B.
2. Standard enforcement language has been substituted in each Chapter, except Chapter 8.08, that reads:

The prohibitions and requirements in this Chapter are subject to enforcement under Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter may also result in a Municipal Court summons as a Code.

3. The restrictions on noise making devices used to attract children have been removed from Section 8.08.090 as it is no longer needed.
4. Chapter 8.12 regarding Junk and Abandoned Vehicles has been revised to prohibit inoperable or unlicensed vehicles from being stored on public right-of-way, public parks or Town-owned land, or on private property except that no more than two inoperable or unlicensed vehicles may be stored within a building or on approved, paved surfaces except in front yard setback areas.
5. Section 8.12.061 restricting the use of Conex boxes and shipping containers has been deleted and will be addressed latter this year in Title 18 revisions.
6. Section 8.36.060 regarding camping permits for camping in parks, streets, or any publicly owned parking lot or publicly owned area has been deleted as camping in these areas within the Town is not appropriate.

It is the recommendation of the working group that has been working on this Ordinance that the Town Council consider it for adoption.

Title 8

HEALTH AND SAFETY

Chapter 8.04 NUISANCES GENERALLY

8.04.010 Nuisance defined.

~~Anything~~ 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 ~~morals or indecency~~safety of the Town citizens, 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.~~~~
- H. ~~Any nuisance defined or declared a nuisance and as such shall be abated by State statute or this Code.~~
- A. ~~_____~~
- 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,~~

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or is maintained in violation of any applicable building or structural requirements or restrictions under the building codes as adopted by the Town.

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.

~~Any state of things~~**Nuisances 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.~~

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

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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 and requirements in this Chapter are subject to enforcement under Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter may also result in a Municipal Court summons as a Code.

C. Every period of 48 hours a nuisance continues after due notice has been given to abate the same shall be deemed a separate offense.

8.04.040 Declaration of nuisance by boardReserved.

~~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.

~~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~~Reserved.

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.

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

8.04.080 Authority to enter on property.

A. The mayor, Town Manager shall have the power and authority to appoint and authorize any police chief, trustees officer, building inspector, code enforcement officer, engineering inspector, Planning Department employee, 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 Town officer to inspect and examine the same and any public or private property in the Town to ascertain whether the nature and existence of any such nuisance.

B. When an inspection is made under this Chapter, or when an authorized inspector has reasonable cause to believe a nuisance exists, and shall be free from in any action building or upon any premises, the authorized inspector may enter such building or premises at all reasonable times to inspect the same or liability perform any duty imposed on account thereof, 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).

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- 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 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 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.
 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 include 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.~~

~~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~~**Reserved.**

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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 ~~in the Town.~~**8.08.030 Stale matter.**

~~It is unlawful to keep, collect or use or cause to be kept, collected or used in this Town, any stale, putrid, or stinking fat or grease or other matter.~~**8.08.040 Sewer inlet.**

~~It is unlawful to deposit in or throw, or into any municipal storm 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.

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

8.08.060 ~~Dead animals — Removal.~~

~~When any animal shall die in this Town, it shall be system in the duty 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 owner or keeper thereof to remove the body of such animal forthwith beyond the limits of the Town. If such body shall 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 in the street, highway or public grounds in this Town, it shall be the duty of the police chief to cause such body to be removed forthwith beyond the limits of the Town. 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.~~

8.08.070 Stagnant ponds**030 Offensive locations.**

A. Any cellar, vault, drain, sewer, pond of water, or other place, upon or within any private premises or grounds, in this ~~the~~ Town, that shall be nauseous ~~is~~ noxious or

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offensive to others, or injurious to public health, through an accumulation or deposition of ~~nauseous~~noxious, 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 or conducive to breeding mosquitos is unlawful and deemed a nuisance.

8.08.080 Open~~B.~~ Excavations deeper than five feet, cisterns, wells, ~~cisterns or~~ and excavations.

~~It is declared that excavation exceeding five feet in depth, cisterns and wells, or an excavation used for storage of used for storing water, are public nuisances within the Town are unlawful and deemed a nuisance 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 behigh. 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, use, or cause to be kept, collected, or used in the Town any stale, putrid, or stinking fat, 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.~~

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 attracting children or minors to any vehicle upon the 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 declared 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.~~

~~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 Reserved.

8.08.050 Reserved.

8.08.060 Dead animals—Removal.

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

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8.08.070 Reserved.

8.08.080 Reserved.

8.08.090 Reserved.

8.08.100 Handbills, posters, and placards.

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

8.08.110 Purpose—Graffiti.

The purpose of ~~this section~~ 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~~ 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, ~~rock, bridge~~ rocks, bridges, fences, ~~gate~~ gates, posts, trees, telephone poles, utility boxes, street ~~signs~~ signs, sidewalks, garbage dumpsters, ~~signs or~~ and billboards.

8.08.130 Graffiti prohibited.

~~It shall be unlawful for a person shall not write, paint, draw, or otherwise inscribe or mark of the type which is commonly known and referred to as graffiti upon any interior or exterior surface of a 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.

~~Upon detecting the existence of~~ If a Police Officer or their designee observes 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 Enforcement.

~~A. The Town designee shall commence proceedings pursuant to this chapter by issuing a notice and order to the owner or 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 chapter exists.~~

~~B. Such notice and order shall~~ The prohibitions and requirements in this Chapter are subject to enforcement under Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. ~~At the discretion of the Town Manager, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter may also result in a Municipal Court summons as a Code.~~

8.08.170 Reserved.

≡

~~1. Be in writing;~~

~~2. Be personally served whenever feasible on the owner, or 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 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. In the event an owner of any premises located within the Town fails to remove graffiti in compliance with the provisions of this chapter, the Town is authorized to 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 billing in accordance with the provisions of this chapter.~~

~~B. Inspection fees for repeat offenders.~~

~~1. For purposes of this subsection, "repeat offenders" means the owner of property which has been previously cited for one or more violations of this chapter at least two or more times during any successive six-month period. For purposes of this subsection, "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.~~

~~3. In the event one or more re-inspection fee is assessed and the property owner or owner's agent fails to pay the fee(s) within twenty (20) days, the~~

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~~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 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 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 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, 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 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 Town of Monument Public Works Department or the name of the private contractor who abated the condition giving rise to the issuance of the notice and order;~~
- ~~4. The total amount of the assessment, including re-inspection fees, the cost of abatement and the amount of the administrative surcharge;~~
- ~~5. 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;~~
- ~~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.~~ **Reserved**

~~C. Service of the Notice of Assessment.~~

~~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.~~

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- ~~D. — Appeal and Hearing. 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.~~
- ~~3. — Hearing. The appeal of a notice of lien assessment shall be heard by the Town Manager or the Manager's duly appointed designee.~~
- ~~4. — Decision. The Town Manager or the Manager's duly appointed designee may, after hearing the property owner's objections, make any modification or change to the assessment as may seem equitable and just, or may confirm the assessment. The Hearing Officer 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 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 Hearing 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 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.~~

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8.08.190 Additional provisions.

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

Chapter 8.12 JUNK AND ABANDONED VEHICLES AS A NUISANCE

8.12.010 Nuisance declared.

~~A. 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, inoperable, wrecked, or abandoned automobiles, trucks, tractors, trailers, boats and house trailers, farm equipment or heavy 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 interfere interfering with the comfortable enjoyment of life or property by others, are declared to be unlawful and deemed~~ a nuisance.

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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.~~

~~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~~ — Nuisance ~~prohibited~~.

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 ~~public right-of-way, public park or other Town-owned land, or on private~~ property ~~zoned residential~~ within the ~~municipal~~ ~~Town~~ limits ~~of the Town~~, except as provided in this ~~chapter~~ ~~Chapter~~. Such vehicle(s) shall be deemed a public nuisance and ~~as such shall be~~ abated in accordance with ~~the rules in Chapter 2.36 of this title governing nuisances~~ ~~Code~~.

8.12.030 Exceptions.

A. Automobiles, ~~vehicles~~, 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~~ ~~private~~ property ~~if the provided such 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.~~

~~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 is deemed an exception as defined below. Excepted automobiles, vehicles, or trucks that would otherwise be deemed a nuisance under Section 8.12.020 may be maintained outdoors upon residential property if such automobile or truck is actively being made operable and able not be stored in the front yard setback area of a lot. Exceptions are limited 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.;~~

- ~~1. Automobiles, vehicles, or trucks parked on an approved, paved surface.~~
- ~~2. Automobiles, vehicles, or trucks completely enclosed within a building in a lawful manner.~~

~~B. _____~~

8.12.040 Maintenance of exception ~~required.~~

An automobile, vehicle, 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~~ number of excepted vehicles.

No more than ~~five~~two ~~excepted~~ automobiles, vehicles, or trucks as defined in Section 8.12.030, which would otherwise be deemed nuisances ~~pursuant to provisions of under Section 8.12.0208, 12.020~~ above ~~but for their classification as excepted automobiles or trucks pursuant to the provisions of Section 8.12.030 shall be~~ may be maintained upon any property ~~zoned residential~~ within the ~~municipal limits of the~~ Town.

8.12.060 ~~Mobilehomes~~ Mobile homes.

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

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8.12.061 Reserved.

8.12.070 Enforcement ~~of Chapter 8.12.~~

~~The provisions of~~The prohibitions and requirements in this ~~Chapter 8.12 shall be~~ Chapter ~~are~~ subject to enforcement under ~~the provisions of Chapter 2.36 of the Monument Municipal Code. In Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Code Officer~~Town staff members delegated authority for enforcement of ~~this Chapter, or the police department, violations of this Chapter 8.12 shall~~ Chapter may also be subject to summons into result in a Municipal Court summons as a ~~violation of the Monument Municipal Code.~~Code.

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Chapter 8.16 LITTER

8.16.010 ~~Definition~~ Littering prohibited.

~~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 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 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 areas, 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 or temporarily or continuously uninhabited, or vacant, and shall include 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.~~

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~~“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.

~~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~~**Reserved.**

8.16.040 Sweeping litter into street prohibited.

~~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~~**Reserved.**

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.

~~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.~~

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8.16.070 Enforcement

The prohibitions and requirements in this Chapter are subject to enforcement under Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter may also result in a Municipal Court summons as a Code.

Chapter 8.20 NOISE CONTROL

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8.20.010 Nuisance declared.

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

8.20.020 Objectionable noise not permitted.

~~Every activity to which~~All activities covered by this ~~chapter applies~~Chapter 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 ~~chapter~~Chapter, unless the context otherwise requires, the following words and phrases ~~means~~shall be defined as follows:

~~“Commercial zone” means:~~

- ~~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.~~

~~All zones shall be as defined in Chapter 18.03, Article 2, of this Code.~~

“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” ~~is~~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 shall constitute prima facie evidence that such noise is a public is unlawful and deemed a 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>	<u>60 db(A)</u>	<u>55 db(A)</u>
<u>Commercial Center (CC) zone district</u>	60 db(A)	55 db(A)
<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)
<u>Industrial Public (P) zone district</u>	80 60 db(A)	75 55 db(A)
<u>Regency Park Overlay Zone District - Planned Residential District—Estate (PRD-2)</u>	<u>55 db(A)</u>	<u>50 db(A)</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>

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- A. ~~In the hours between seven~~ Between 7:00 a.m. and ~~the next~~ 7:00 p.m., the noise levels permitted in this ~~section~~ Section may be increased by ~~ten (10)~~ db(A) for a period ~~of not to exceed fifteen (exceeding 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~~ Section.
- C. This ~~chapter is~~ Chapter does not ~~intended 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 industrial~~ Light Industrial zones ~~for during the period within which~~ construction ~~is to be completed pursuant to any period in an~~ applicable construction permit issued by proper authority or, if no time limitation is imposed, for a reasonable period of time for ~~completion of~~ project completion.
- E. All railroad rights-of-way shall be considered ~~as industrial~~ Light Industrial zones for purposes of this ~~chapter~~ Chapter, and ~~the train~~ operation ~~of trains~~ 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 ~~subsection~~ Subsection.

- F. This ~~chapter is~~ Chapter does not ~~applicable~~ apply to ~~the use of~~ property used for ~~purposes of conducting~~ speed or endurance events involving motor or other vehicles, ~~but such~~. This exception ~~is effective~~ shall 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 lawful~~ with jurisdiction ~~to authorize~~ over such use.
- G. ~~In all~~ When measuring sound level measurements, ~~consideration shall be given to the effect of the levels, the impact of 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 ~~chapter is~~ Chapter does not ~~applicable~~ apply 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 ~~subsection~~ 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~~a permit ~~which may be~~ issued for the activity or event.

8.20.050 ~~Hours~~Construction project hours 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~~any property zoned and used for residential zone" as defined in this chapter, hotel, motel, hospital, assisted living or nursing home uses:
1. Monday through Friday ~~from the hours of between~~ 7:00 a.m. ~~to and~~ 7:00 p.m.
 2. Saturday ~~from the hours of between~~ 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 ~~are provided in this Subsection:~~
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. ~~Such determination shall be made as determined~~ 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

The prohibitions and requirements in this Chapter 8.20.

The provisions of this Chapter 8.20 shall be arc subject to enforcement under the provisions of Chapter 2.36 of the Monument Municipal Code. In Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Code Officer, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of

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this ~~Chapter 8.20 shall~~ Chapter may also be subject to summons into result in a Municipal Court summons as a violation of the Monument Municipal Code Code.

Chapter 8.24 REFUSE ACCUMULATIONS AND BUILDING MAINTENANCE

8.24.010 Refuse Definitions.

As used in this Chapter, unless the context otherwise requires, the following words shall be defined as follows:

For the purposes of this chapter the word "refuse" "Refuse" 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.~~

8.24.015 Junk defined.

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 be usable in its current state for its original manufactured use. This shall include, ~~by way of illustration only and without limitation~~ but is not limited to, used lumber, rags, rubber, scrap metal, scrap material, waste, rubble, or machinery or automobile parts.

8.24.015 Reserved.

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 ~~prohibited~~unlawful and ~~is declared to be~~declared 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 occupancy, control, occupying, controlling, or management of~~managing any premises shall cause or permit any garbage, waste material, rubbish, or ashes to ~~be accumulated thereon~~accumulate 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,

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or rubbish of any kind or nature ~~whatsoever~~ or any other refuse ~~of~~ material₂ or junk shall be thrown or swept into any street, sidewalk, gutter, sewer, intake, alley, vacant lot₂ or other property.

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

~~It shall be the duty of every person, whether~~ Every owner, lessee₂ or renter₂ of any vacant lot, building₂ or premises, including any place of business, hotel, restaurant, dwelling house, apartment, tenement₂ or any other establishment₂; shall at all times ~~to~~ maintain the premises in a clean and orderly condition, ~~permitting no and shall not permit the~~ deposit or accumulation of refuse ~~of~~ materials₂ or junk other than those ordinarily attendant upon the use for which such premises are legally intended. Any such accumulation ~~shall constitute~~ is unlawful and deemed a nuisance.

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

All plaster, broken concrete, bricks, cinder blocks, stones, wood, roofing material, wire₂ or metal binding, sacks₂ or loose, discarded, or unused material of any kind ~~resulting deriving~~ from the wrecking, constructing, or reconstructing of any room, basement, wall, fence ~~of~~ sidewalk₂ or building₂; 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 ~~of~~ materials₂ 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 refuse₂ and/or junk shall be removed periodically from ~~such respective business~~ 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 ~~refuse that is~~ highly explosive or inflammable refuse 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 use₂; but shall be either plowed under or removed by the owner, occupant₂ or agent.

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

No person, except personnel authorized ~~personnel~~ by the fire protection district, shall set on fire or burn any garbage, rubbish₂ or waste material or any hay, grass clippings₂ 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. ~~If A.~~ It shall be unlawful and deemed a nuisance for 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 building₂ 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 owner of any premises located within the Town ~~shall~~ maintain ~~any~~the premises, whether occupied or vacant, in a safe and sanitary condition as prescribed by the ~~Monument~~ Code and applicable ~~Statutes~~statutes and regulations.

8.24.120 Enforcement ~~of.~~

~~The prohibitions and requirements in this~~ Chapter ~~8.24.~~

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~~The provisions of this Chapter 8.24 shall bear~~ subject to enforcement under ~~the provisions of Chapter 2.36 of the Monument Municipal Code. In~~Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. ~~At~~ the discretion of the Town Manager, ~~Code Officer~~Town staff members ~~delegated authority for enforcement of this Chapter,~~ or the police department, violations of this ~~Chapter 8.24 shall~~ Chapter may also be subject to ~~summons into result in a~~ Municipal Court ~~summons~~ as a ~~violation of the Monument Municipal Code.~~Code.

Chapter 8.28 WEEDS

8.28.010 Purpose ~~— Exclusion.~~

A. ~~—~~The purpose of this ~~chapter~~Chapter is to protect the public health, safety, and welfare of the ~~people of the Town~~Town's citizens by eliminating and controlling, to the extent possible, the growth and proliferation of weeds within the Town which become a fire ~~hazard, a~~ traffic ~~and, or~~ 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,

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~~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 ~~lot~~all or ~~any~~ portion ~~thereof of a lot,~~ 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,~~ For purposes of any duty or obligation imposed by this ~~chapter~~Chapter, the term ~~shall also include~~includes an area extending to the center line of any alley adjacent to ~~such lot~~all or ~~any~~ 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, parcel of land, building, or establishment including~~ any ~~lot or portion thereof, parcel of land, building or establishment including the curb and gutter of the street~~ curbs and gutters on any side ~~of such lot~~

~~or portion thereof, parcel of land, building or establishment. Should. If~~ there ~~existis~~ 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~~;~~~~and.~~
- ~~3~~C. Will ~~attain such a large growth of grow 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 to be deemed~~ a fire hazard by the Town code enforcement designee ~~of the Town or the~~ duly authorized representative of the fire protection district investigating ~~the an~~ alleged violation.
- B. ~~It shall be the duty of each owner~~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 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 pedestrian~~ movement ~~of pedestrians~~ 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 owner~~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 owner~~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 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 to be~~ is unlawful and deemed a nuisance.
- B. It is unlawful for any ~~person having or being entitled to the ownership or possession~~ owner or tenant of ~~said~~ premises, or any part thereof, to fail to cut or otherwise control and remove ~~such~~ weeds growing upon said premises ~~or upon, on~~ 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 ~~chapter~~ Chapter.
- C. Nothing in this ~~section is meant to preclude the~~ Section precludes 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 exempt~~ provide exemptions for the following: natural open space, natural ~~park~~ 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~~ Owners of any premises located within the Town shall ~~be the duty of each owner of any premises located within the Town to~~ at all times cut and mow the weeds on ~~the respective~~ their premises, and ~~to~~ remove accumulations thereof, ~~whenever that~~ when the 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.~~

~~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~~

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~~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~~**Reserved.**

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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. Title Authority. This section Noxious weed control shall be known as the Town of Monument's Undesirable Plant Management Ordinance. This section is established in accord~~**managed and considered in accordance with the Colorado Noxious Weed Act, 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 macu-losa);~~
- ~~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 development 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,

The prohibitions and requirements in this Chapter 8.28:

~~The provisions of this Chapter 8.28 shall be arc subject to enforcement under the provisions of Chapter 2.36 of the Monument Municipal Code. In Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Code Officer Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter 8.28 shall Chapter may also be subject to summons into result in a Municipal Court as a violation of the Monument Municipal summons as a Code.~~

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Chapter 8.30 STORMWATER DISCHARGE AND EROSION CONTROL

8.30.010 Purpose.

- A. The purpose of this ~~chapter~~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~~ As used in this ~~chapter~~Chapter, ~~unless the context otherwise requires, the following words shall have the meanings hereinafter designated~~ be defined as follows:

~~"Best management practices~~Management 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 ~~from~~ consistent with 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 ~~system of~~ conveyance ~~(system, including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, and storm drains)~~, owned and operated by the Town.

~~"National pollutant discharge elimination system~~Pollutant Discharge Elimination System (NPDES)" means the ~~implementation section of~~ permitting program established under the Federal Clean Water Act ~~to regulate the discharge of pollutants into waters of the United States~~.

~~"Operations and Maintenance Agreement"~~ ~~is~~ means 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~~ Applicability 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 chapter. Therefore, all of the~~ Chapter. All 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~~ entire Town limits.

~~This chapter~~ Chapter 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 chapter~~ Chapter, the ~~department~~ 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 chapter. As such, a site development permit is required to be obtained by the~~ Chapter. The site development contractor retained by the site owner ~~of the site, who is responsible~~ shall obtain a site development permit and accept responsibility for maintaining all erosion and sedimentation control on the site. ~~All~~ The contractor shall follow 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 erosion and stormwater quality control plan, ESQCP pursuant to the requirements of Chapter 17.45 of this 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~~ C. 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 installation~~Installation of all erosion control and sedimentation prevention measures ~~must~~shall be completed for each phase and accepted by the ~~department~~Department prior to ~~initiation of~~initiating the next ~~phase of~~ development phase.

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 ~~plan~~Plan shall comply with ~~Chapter 16.40 of this~~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 chapter and those applicable regulations contained in this Chapter 16.40 of this Code~~.

~~2.1.~~ Complaint response inspections ~~will~~shall be conducted by the ~~department~~ ~~when~~Department if it receives a report of deficiencies ~~is received~~.

~~3.~~ ~~Monthly~~2. The Town shall complete inspection reports ~~will be completed by the Town, every 45 days~~ outlining all deficiencies observed and maintenance techniques that ~~need~~should be implemented.

3. Builders/Developers shall complete bi-weekly inspection reports and submit them to be utilized ~~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~~increases 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~~collects 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 ~~operation~~Operations and ~~maintenance plan~~Maintenance 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~~selecting 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, once~~2. 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 ~~director~~Director of ~~development services. Erosion and stormwater and quality control plan~~Planning, ESQCP financial assurances ~~will~~shall not be released until the certification is received and accepted by the ~~director~~Director of ~~development services~~Planning.
3. ~~Inspection and Maintenance Plan~~—~~For projects~~Projects greater than one acre, ~~shall have~~ an inspection and maintenance plan (IM Plan) ~~is needed to ensure~~which ensures the continued function of the permanent BMPs as designed and constructed. The IM ~~plan~~Plan shall be developed concurrently with the ~~design of the facility~~ design, submitted with the ~~erosion and stormwater quality control plan~~ESQCP, and reviewed by the Town ~~of Monument~~. The IM ~~plan~~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 ~~responsibilities~~responsibility 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~~ 4. Unless a permanent stormwater quality BMP is dedicated to and accepted by the Town, the responsible party must execute ~~a maintenance agreement~~ an Operations and Maintenance Agreement binding on all subsequent land owners ~~of land~~ served by the BMP. This ~~agreement is~~ Agreement 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 ~~agreement identifies~~ Agreement shall identify by name or official title the person(s) responsible for carrying out the maintenance and ~~refers~~ refer to the approved IM ~~plan~~ Plan for required maintenance and inspection activities. The ~~agreement provides~~ Agreement shall provide 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 Town will provide a template of the agreement for completion by the responsible party. A signed maintenance agreement shall be submitted to the Town of Monument. The Town will not release any financial sureties for the project until the maintenance agreement is recorded.~~ 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.

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~~5. Inspections~~ ~~The maintenance agreement~~ The Town shall provide an Agreement template for completion by the responsible party. A signed Operations and Maintenance Agreement shall be submitted to the Town. The Town shall not release any financial sureties for the project until the Operations and Maintenance Agreement is recorded.

5. The Operations and Maintenance Agreement 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. 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~~ Public Works ~~Director~~ or ~~their~~ designee ~~will~~shall contact the responsible party by registered or certified mail ~~of~~regarding the missed inspection. The responsible party ~~will~~shall have ~~twenty (20)~~ business days ~~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) ~~will~~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 ~~will~~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 ~~will~~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 inform~~informing them that an inspection is scheduled. The letter ~~will~~shall include the date of the inspection, what to expect, and encourage ~~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)~~ 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 ~~will~~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—7.~~ 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 to~~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 17.52.040~~Chapter 18.05, Article 4 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 of Planning 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 landscaping~~landscaped until such time as final landscaping inspection approval has been issued by the Planning Department.

8.30.070 Enforcement.

~~For purposes of this chapter, the Town is authorized. The prohibitions and requirements in this Chapter are subject to designate an enforcement representative who is authorized under Title 2, including but not limited to enforce all provisions of this chapter.~~

A. Notice and Order.

~~1. The designated enforcement individual for the Town shall commence proceedings pursuant to this chapter by issuing a notice, Chapter 2.36, Articles 5, 6, and order to the owner or 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 chapter exists.~~

~~2. Such notice and order shall:~~

~~a. Be in writing;~~

~~b. Be personally served whenever feasible on the owner, or 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 agent or the occupant's last known address;~~

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

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

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

~~B. Appeal of Notice and Order.~~

~~1. All appeals of notice and orders shall be filed with 7. At the discretion of the Town Manager and heard by the Manager or the 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 chapter.~~

~~2. Abatement by Town Designee—Costs. In the event that any order issued pursuant to this chapter is not complied with at such reasonable times as specified therein, the Town designee, after notice to the owner, or 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 the order which shall be independent of and in addition to any penalty provided by this Code for Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this chapter.~~

~~3. Inspection Fees for Repeat Offenders.~~

~~a. For purposes of this subsection, "repeat offenders" means the owner of property which has been previously cited for one or more violations of this chapter at least two or more times during any successive six month period. For purposes of this subsection, "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.~~

~~e. 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.~~

~~D. Lien Assessment.~~

~~1. Authority. When 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 accord with the provisions of this 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.~~

~~2. 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 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 Chapter may also result in the imposition of a lien against the property;~~
- ~~g. A statement explaining the appeal procedure for the notice of assessment.~~

~~3. Service of the Notice of Assessment.~~

- ~~a. 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.~~
- ~~b. 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.~~

~~4. 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 be 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.~~

~~e. Hearing. The Hearing Officer may, after hearing the property owner's objections, make any modification or change to the assessment as may seem 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.~~

~~d. 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 five days after the property owner's or agent's mailed receipt of the notice of lien assessment or posting on the property to be assessed. If appealed, the Hearing 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 Hearing 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 a Municipal Court.~~

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~~E. Abatement - Emergency Order.~~

~~1. Whenever 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 the emergency. Notwithstanding any other provisions of this chapter to the contrary, such order shall be effective immediately.~~

~~2. Any person to whom such emergency order is issued shall comply therewith immediately, and it is unlawful to fail or refuse to so comply.~~

~~3. In the event that the person to whom such emergency order is issued fails or refuses to immediately comply therewith, the Town designee may, without prior notice to the owner, occupant or agent of the owner, have removed, corrected or otherwise abated the condition giving rise to the issuance of the emergency abatement order.~~

~~F. Remedies - Additional. The remedies provided by this 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 site development permit from the Town, verbal warnings by the 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~~

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~~permits issued to the contractor, at its sole discretion, for persistent, continual, or significant noncompliance with the regulations of this chapter. Should the Town issue a summons requiring an owner to appear in municipal court, each day of violation shall be a separate offense as a Code.~~

Chapter 8.32 SOLICITATION PROHIBITED

8.32.010 Definitions.

~~A. — “Automated Teller Machine” shall mean 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 mean 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 mean 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 impede.~~

~~D. — “Public Place” shall mean 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 means 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. Soliciting includes but is not limited to, seeking a donation where, regardless of 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 solicitor’s purpose. 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:~~

~~1. — Engage in aggressive soliciting A. Aggressively solicit in any public place. Aggressive solicitation is defined as means engaging in one or more of the following:~~

- ~~a1.~~ 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.

- ~~4~~4. Using violent or threatening conduct toward a person solicited which would cause a reasonable person to ~~be fearful~~fear for ~~his or her~~their safety.
- ~~5~~5. 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 ~~the person does~~they do not want to be solicited or ~~does not want to~~give money or anything of value to the solicitor.
- ~~6~~6. 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~~fear for ~~his or her~~their safety.
- ~~7~~7. Soliciting money from anyone ~~who is~~waiting in line for tickets, ~~for~~entry ~~to~~into a building, or ~~for~~another purpose.
- ~~8~~8. 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 be~~feel intimidated into giving money or ~~other thing~~anything of value.
- ~~2~~B. Solicit on any private or residential property after ~~having been~~being asked to leave, or refrain from soliciting, by the owner or other person lawfully in possession of the property.
- ~~3~~C. 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~~.
- ~~4~~D. 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.
- ~~5~~E. Solicit within six feet of ~~an entrance to~~a building ~~entrance~~.
- ~~6~~F. Solicit any person entering or exiting a parked motor vehicle or in a motor vehicle stopped on the street.
- ~~7~~G. Solicit any person located within the patio or sidewalk area of a retail business establishment that serves food and/or drink.
- ~~8~~H. 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 ~~chapter~~Chapter shall ~~be construed to~~prevent a person from acting in ~~accord~~accordance with a valid license or permit.

8.32.040 ~~Penalty~~Enforcement.

~~Any person violating any provisions of this chapter shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment.~~

~~The prohibitions and requirements in this Chapter are subject to enforcement under Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter may also result in a Municipal Court summons as a Code.~~

Chapter 8.34 KRATOM REGULATIONS

8.34.010 ~~Prohibition of sale of kratom.~~

~~No business shall sell or offer to sell within the Town any kratom products.~~

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8.34.020 Definitions.

~~“Kratom” means a product that contains~~containing 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~~an individual’s skin ~~of an individual.~~

8.34.020 Sale of kratom prohibited.

~~No business shall sell or offer to sell within the Town any kratom products.~~

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8.34.030 ~~Penalty Enforcement.~~

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

~~The prohibitions and requirements in this Chapter are subject to enforcement under Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter may also result in a Municipal Court summons as a Code.~~

Chapter 8.36 UNLAWFUL CAMPING

8.36.010 Definitions.

~~A. “Camp” shall mean to pitch, use, or occupy camp facilities for the purposes of habitation, as evidenced by the use of camp paraphernalia.~~

~~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 mean “Camp” 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. 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.

“Park” means the same as defined in Section 12.28.020 of this Code.

E.—“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.

“Store” shall mean means to put aside or accumulate for use when needed, to put for safekeeping, to place, or leaving leave 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:

A.— Any park;

B.— Any street;

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

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.

8.36.030 ~~Storage of~~ Storing 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.

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A. ~~Any park;~~

B. ~~Any street;~~

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

8.36.040 ~~Penalty Enforcement.~~

The prohibitions and requirements in this Chapter are subject to enforcement under Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter may also result in a Municipal Court summons as a Code.

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~~Violation of any of the provisions of this chapter shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment.~~

8.36.050 Parked recreational vehicles exempt.

~~The provisions of this chapter~~ This Chapter shall not apply to recreational vehicles parked on any street, ~~or in any~~ publicly owned parking lot, or publicly owned area, improved or unimproved, ~~if said recreational~~ provided the vehicle is not at that time being 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 permit persons to camp, occupy camp facilities, 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 Manager or designee shall approve a permit as provided under this section when, from a consideration of parked in the application and from such other information as may otherwise be obtained, it is determined that:~~

1. ~~Adequate sanitary facilities are provided and accessible at or near the camp site.~~

2. ~~Adequate trash facilities and trash collection is to be provided.~~

3. ~~The camping activity will not unreasonably disturb or interfere with the peace, comfort and repose of private property owners.~~

4. ~~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.~~

~~Notice of appeal must be in writing and must be filed with the Town Clerk within seven calendar same spot for more than three consecutive days from the date of denial without being moved.~~

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TOWN OF MONUMENT
ORDINANCE NO. 06-2026

**AN ORDINANCE AMENDING SECTIONS
2.36.500, 2.36.600, AND 2.36.700 AND
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 March 16, 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. Amend Chapter 2.36, Article 5, Section 2.36.500; Article 6, Section 2.36.600; and Article 7, Section 2.36.700 of the Monument Municipal Code. Title 2, Chapter 2.36, Article 5, Section 2.36.500; Article 6, Section 2.36.600; and Article 7, Section 2.36.700 of the Code as set forth in Exhibit A, attached hereto and incorporated herein, is amended with double-underlined text being added and stricken text being deleted.

Section 3. Repeal and Readopt Title 8 of the Monument Municipal Code. Title 8 of the Code as set forth in Exhibit B, attached hereto and incorporated herein, is repealed and readopted.

Section 4. 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 5. 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 6. 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 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 16th day of March 2026 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. 06-2026**

Title 2

Administration and Personnel

Chapter 2.36 – Municipal Court

Article 5 – Enforcement Process for Certain Code Violations

2.36.500 - Purpose; scope.

The purpose of this Article 5 is to encourage prompt compliance with this article and prompt payment of penalties for violations thereof. This article provides for penalties which may be imposed for violating the following portions of this Code:

- A. ~~Junk and Abandoned Vehicles as Nuisances—Title 8, Chapter 8.12.~~ Health and Safety - Title 8, Chapter 8.
- B. ~~Construction Curfew/Noise Ordinance—Title 9, Chapter 8.20.~~ Offenses Against Public Safety - Title 9, Chapter 9.08.
- C. ~~Refuse Accumulations and Building Maintenance—Title 8, Chapter 8.24.~~ Snowstorm Governing Hazardous Situations - Title 10, Chapter 10.08.
- D. ~~Weed Violations—Title 8, Chapter 8.28.~~ Streets and Sidewalks - Title 12, Chapter 12.04.
- E. ~~Offenses Against Public Safety—Title 9, Chapter 9.08.~~ Park and Recreation Areas - Title 12, Chapter 12.28.
- F. ~~Snowstorm Governing Hazardous Situations—Title 10, Chapter 10.08.~~ Zoning/Development Standards - Title 18, Chapter 18.03 and Chapter 18.05.
- G. ~~Streets and Sidewalks—Title 12, Chapter 12.04.~~ Signs - Title 18, Chapter 18.06.
- H. ~~Park and Recreation Areas—Title 12, Chapter 12.28.~~
- I. ~~Zoning/Development Standards—Title 18, Chapter 18.03 and Chapter 18.05.~~
- J. ~~Signs—Title 18, Chapter 18.06.~~

Article 6. - Voluntary Compliance Agreement

2.36.600 - Purpose; scope.

The purpose of this Article 6 is to encourage voluntary compliance with the Code. This article allows the Town to enter into voluntary compliance agreements for violations of the following portions of this Code:

- A. ~~Junk and Abandoned Vehicles as Nuisances—Title 8, Chapter 8.12. Health and Safety - Title 8.~~
- B. ~~Construction Curfew/Noise Ordinances—Title 8, Chapter 8.20. Offenses Against Public Safety - Title 9, Chapter 9.08.~~
- C. ~~Refuse Accumulations and Building Maintenance—Title 8, Chapter 8.24. Snowstorm Governing Hazardous Situations - Title 10, Chapter 10.08.~~
- D. ~~Weed Violations—Title 8, Chapter 8.28. Streets and Sidewalks - Title 12, Chapter 12.04.~~
- E. ~~Offenses Against Public Safety—Title 9, Chapter 9.08. Park and Recreation Areas - Title 12, Chapter 12.28.~~
- F. ~~Snowstorm Governing Hazardous Situations—Title 10, Chapter 10.08. Zoning/Development Standards - Title 18, Chapter 18.03; and Chapter 18.05.~~
- G. ~~Streets and Sidewalks—Title 12, Chapter 12.04. Signs on Private Property - Chapter 18.06.~~
- H. ~~Park and Recreation Areas—Title 12, Chapter 12.28~~
- I. ~~Zoning/Development Standards—Title 18, Chapter 18.03; and Chapter 18.05~~
- J. ~~Signs on Private Property—Chapter 18.06.~~

Article 7. - Abatement Action Process

2.36.700 - Scope and purpose of application.

The purpose of this Article 7 is to provide for abatement actions for violations of the following portions of this Code:

- A. ~~Refuse Accumulations and Building Maintenance—Title 8, Chapter 8.24. Health and Safety - Title 8.~~
- B. ~~Weed Violations—Title 8, Chapter 8.28. Zoning/Development Standards - Title 18, Chapter 18.03 and Chapter 18.05.~~
- C. ~~Zoning/Development Standards—Title 18, Chapter 18.03 and Chapter 18.05. Signs on Private Property - Title 18, Chapter 18.06.~~
- D. ~~Signs on Private Property—Title 18, Chapter 18.06.~~

Exhibit B
TO ORDINANCE NO. 06-2026

Title 8
HEALTH AND SAFETY

Chapter 8.04 NUISANCES GENERALLY

8.04.010 Nuisance defined.

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.
- 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 Reserved.

8.04.030 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 and requirements in this Chapter are subject to enforcement under Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter may also result in a Municipal Court summons as a Code.
- C. Every period of 48 hours a nuisance continues after due notice has been given to abate the same shall be deemed a separate offense.

8.04.040 Reserved.

8.04.050 Reserved.

8.04.060 Assistance to abate authorized.

Any officer duly authorized to abate a nuisance shall have the authority to engage the necessary assistance and incur the necessary expenses thereof.

8.04.070 Reserved.

8.04.080 Authority to enter on property.

- 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 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 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.
 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 include 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 Reserved.

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, 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 sloop, 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 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, use, or cause to be kept, collected, or used in the Town any stale, putrid, or stinking fat, 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 Reserved.

8.08.050 Reserved.

8.08.060 Dead animals—Removal.

When an animal dies in the Town, the owner or keeper thereof shall remove the body of such animal forthwith beyond Town limits. If such body is not forthwith removed, the same shall be deemed a nuisance. When the body of a dead animal is in the Town street, highway, or public grounds, a Town employee or Police Chief shall cause such body to be removed forthwith beyond Town limits.

8.08.070 Reserved.

8.08.080 Reserved.

8.08.090 Reserved.

8.08.100 Handbills, posters, and placards.

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

8.08.110 Purpose—Graffiti.

The purpose of the following subsections is to protect the health, safety, and welfare of all Town citizens by eliminating the proliferation of graffiti within the Town, as graffiti creates a condition of blight within the Town and contributes to deterioration of neighborhoods, 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

without the prior permission of the property owner to any interior or exterior surface of a permanently fixed object.

“Permanently fixed object” means an 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 a person to graffiti any interior or exterior surface of a permanently fixed object within the Town.

8.08.140 Entrance by Police or designee.

If a Police Officer or their designee observes graffiti on private property within the Town which is visible from any area open to the public that person may, at any reasonable hour, take reasonable measures to document the existence 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 on the owner’s or occupant’s property for a period exceeding 24 hours after receiving notice of the graffiti.

8.08.160 Enforcement.

The prohibitions and requirements in this Chapter are subject to enforcement under Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter may also result in a Municipal Court summons as a Code.

8.08.170 Reserved.

8.08.180 Reserved.

8.08.190 Additional provisions.

The provisions of this Section are not exclusive. Any condition declared a nuisance shall be abated in accordance with the provisions herein and shall be subject to the penalties set forth in [Chapter 1.20](#) of this Code.

Chapter 8.12 JUNK AND ABANDONED VEHICLES

8.12.010 Nuisance declared.

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

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 parts thereof, which is inoperable, dismantled, wrecked, discarded, or without valid licensing tags shall be kept or stored on any public right-of-way, public park or other Town-owned land, or on private property within the Town limits except as provided in this Chapter. Such vehicle(s) shall be deemed a public nuisance and abated in accordance with Chapter 2.36 of this Code.

8.12.030 Exceptions.

- A. Automobiles, vehicles, or trucks that would otherwise be deemed a nuisance under this Chapter may be maintained upon private property provided such vehicle, automobile, or truck is deemed an exception as defined below. Excepted automobiles, vehicles, or trucks may not be stored in the front yard setback area of a lot. Exceptions are limited to:
1. Automobiles, vehicles, or trucks parked on an approved, paved surface.
 2. Automobiles, vehicles, or trucks completely enclosed within a building in a lawful manner.
- B.

8.12.040 Maintenance of exception.

An automobile, vehicle, or truck meeting an exception under Section [8.12.030](#) must be maintained in a manner that does not constitute a health, safety, or fire hazard.

8.12.050 Limit of number of excepted vehicles.

No more than two excepted automobiles, vehicles, or trucks as defined in Section 18.12.030, which would otherwise be deemed nuisances under Section [8.12.020](#) may be maintained upon any property within the Town.

8.12.060 Mobile homes.

Nothing in this Chapter shall be construed to permit the storage or occupancy of any mobile home, as defined by the Town’s current subdivision regulations, within the Town except on land zoned for mobile home use.

8.12.061 Reserved.

8.12.070 Enforcement.

The prohibitions and requirements in this Chapter are subject to enforcement under Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter may also result in a Municipal Court summons as a Code.

Chapter 8.16 LITTER

8.16.010 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 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 areas, 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.

8.16.020 Reserved.

8.16.030 Reserved.

8.16.040 Reserved.

8.16.050 Merchants' duty to keep sidewalks free of litter.

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 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

8.16.070 Enforcement

The prohibitions and requirements in this Chapter are subject to enforcement under Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter may also result in a Municipal Court summons as a Code.

Chapter 8.20 NOISE CONTROL

8.20.010 Nuisance declared.

Making unnecessary noises on, near, or adjacent to Town streets, highways, and other public places is unlawful and deemed a nuisance. Listing specific offenses defined in this Chapter shall not limit the Chapter's general scope or restrict offenses to only those listed in this Chapter.

8.20.020 Objectionable noise not permitted.

All activities covered by this Chapter shall be conducted so that any noise produced is not objectionable due to intermittence, beat frequency, or shrillness.

8.20.030 Definitions.

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

All zones shall be as defined in Chapter 18.03, Article 2, of this Code.

“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 a unit used to express the magnitude of a change in sound level. In sound pressure measurements, sound levels are defined as 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 100% increase or decrease in the sound level, and a 10 decibel change is a 1,000% increase or decrease in the sound level.

8.20.040 Maximum permissible noise levels.

Sound levels of noise radiating from a property line 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.

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

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

- A. Between 7:00 a.m. and 7:00 p.m., the noise levels permitted in this Section may be increased by 10 db(A) for a period not exceeding 15 minutes in any one-hour period.
- B. Periodic, impulsive, or shrill noises shall be a violation when such noises are five db(A) less than those listed in this Section.
- C. This Chapter does not apply to aircraft or other activities subject to federal law.
- D. Construction projects shall be subject to the maximum permissible noise levels for Light Industrial zones during the construction period in an applicable construction permit issued by proper authority or, if no time limitation is imposed, for a reasonable period of time for project completion.
- E. All railroad rights-of-way shall be considered Light Industrial zones for purposes of this Chapter, and train operation shall be subject to the maximum permissible noise levels specified for such zone.

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

- F. This Chapter does not apply to property used for speed or endurance events involving motor or other vehicles. This exception shall only apply during the specific period authorized by the political subdivision or governmental agency with jurisdiction over such use.
- G. When measuring sound levels, the impact of ambient noise from all environmental and other sources present at the time and location of the measurement shall be taken into account.
- H. This Chapter does not apply to property used by the state, any political subdivision of the state, or any non-profit entity 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 Subsection shall not limit the authority of any political subdivision with jurisdiction to regulate noise abatement pursuant to ordinance or a permit issued for the activity or event.

8.20.050 Construction project hours of operation.

- A. Construction projects involving 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 deliveries of construction materials, shall be restricted to the following hours of operation when located within a one-quarter mile radius of any property zoned and used for residential, hotel, motel, hospital, assisted living or nursing home uses:
 - 1. Monday through Friday between 7:00 a.m. and 7:00 p.m.
 - 2. Saturday between 8:00 a.m. and 6:00 p.m.
 - 3. No work is permitted on Sundays and Federal and State Holidays.
- B. The following exceptions apply to the restrictions in this Subsection:
 - 1. Public utilities and/or contractors working for public utilities may 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

required for such installation as determined by the Director of 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 construction operations exceed the maximum permissible noise levels or if the Town receives an excessive number of complaints.

8.20.060 Enforcement.

The prohibitions and requirements in this Chapter are subject to enforcement under Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter may also result in a Municipal Court summons as a Code.

Chapter 8.24 REFUSE ACCUMULATIONS AND BUILDING MAINTENANCE

8.24.010 Definitions.

As used in this Chapter, unless the context otherwise requires, the following words shall be defined as follows:

“Refuse” means and includes 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; and any other materials commonly known as rubbish or refuse of any kind or character.

“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 Reserved.

8.24.020 Accumulation of refuse and/or junk prohibited.

The accumulation of refuse and/or junk on any premises, improved or unimproved, in the Town is unlawful and deemed 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 a manner that the same is or tends to endanger the public health. No person occupying, controlling, or managing any premises shall cause or permit garbage, waste material, rubbish, or ashes to accumulate in a manner that creates a nuisance or endangers the public health. No person shall

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 their own premises or the premises of another.

8.24.050 Refuse and/or junk 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 or any other refuse, 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.

Every 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 maintain the premises in a clean and orderly condition, and shall not permit the deposit or accumulation of refuse, materials, or junk other than those ordinarily attendant upon the use for which such premises are legally intended. Any such accumulation is unlawful and deemed a nuisance.

8.24.070 Building materials at 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 deriving from the wrecking, constructing, or reconstructing of any room, basement, wall, fence, sidewalk, or building shall promptly be removed or discarded so as not to be scattered about by the wind or otherwise and, as soon as possible, removed by the person responsible for such work. Such person shall be held liable for any scattering of such refuse, materials, or junk upon adjacent property.

8.24.080 Removal of refuse and/or junk from businesses.

Discarded automobile parts, stoves, furniture, wool, hides, junkyard refuse, and/or junk shall be removed periodically from business 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 a dump by the establishment creating such deposit. Any accumulation of highly explosive or inflammable refuse which might endanger life or property shall be removed to such places as approved by the Police Chief or the Fire Chief with such removal 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 garbage and waste material.

No person, except personnel authorized by the fire protection district, 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.

8.24.110 Sanitary conditions and maintenance requirements.

- A. It shall be unlawful and deemed a nuisance for 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, 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.
- B. The owner of any premises located within the Town shall maintain the premises, whether occupied or vacant, in a safe and sanitary condition as prescribed by the Code and applicable statutes and regulations.

8.24.120 Enforcement.

The prohibitions and requirements in this Chapter are subject to enforcement under Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter may also result in a Municipal Court summons as a Code.

Chapter 8.28 WEEDS

8.28.010 Purpose.

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

8.28.020 Definitions.

“Premises” means all or any portion of a lot, parcel of land, building, or establishment, including adjacent easements or rights-of-way. For purposes of any duty or obligation imposed by this Chapter, the term includes an area extending to the center line of any alley adjacent to all or any portion 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, parcel of land, building, or establishment including any street curbs and gutters on any side. If there is no adjacent private property, the premises shall include the entire width of any adjacent alley.

“Weed” means any plant which meets all the following criteria:

- A. Ordinarily grows without cultivation.
- B. Is not grown for the purpose of landscaping or food production.
- C. Will grow 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, the accumulation of cuttings, mowing, or other debris, or non-removal of either of these from premises located within the Town is declared a fire hazard if such growth or accumulations are within 55 feet of any building or structure and deemed a fire hazard by the Town code enforcement designee or duly authorized representative of the fire protection district investigating an alleged violation.

- B. Owners of any premises located within the Town shall at all times cut and mow weeds or remove accumulations of cuttings, mowing, or other debris which are within 55 feet of any building or structure when deemed a fire hazard by the Town code enforcement designee or duly authorized representative of the fire protection district.

8.28.040 Traffic and pedestrian hazards.

- A. The growth of weeds, the accumulation of cuttings, mowing, or other debris, or the non-removal of either of these from premises located within the Town is declared 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, the accumulation of cuttings, mowing, or other debris, or non-removal of 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 pedestrian movement is declared a traffic and pedestrian hazard. Such weeds must be cut and removed from the property to a distance of at least 12 feet from the edge of the street or base of a curb unless the right-of-way has been otherwise established.
- C. Owners of any premises within the Town shall at all times cut and mow the weeds, or remove any accumulations thereof, on the property line and edge of the street or street curb in the front, rear, and side of the owner's property whenever such growth or accumulations constitute a traffic or pedestrian hazard. Owners of any premises containing weeds which interfere with the traffic or pedestrian line of sight at any intersection shall cut and remove such weeds to a distance of 55 feet from the street corner and diagonally across the corner in a triangular area and ensure a clear line of sight from a stopped vehicle, as measured 15 feet from the curb line of the cross street, a distance of 10 times the posted speed limit of the oncoming traffic (e.g. $10 \times 35 \text{ mph} = 350 \text{ feet}$).

8.28.045 Growth and accumulation of weeds.

- A. The growth of weeds taller than nine inches in height, 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, residential, non-residential, vacant, or improved, is unlawful and deemed a nuisance.
- B. It is unlawful for any owner or tenant of a premises, or any part thereof, to fail to cut or otherwise control and remove weeds growing upon said premises, on the sidewalks abutting said premises, or fail to remove any accumulation of weeds from said premises as often as necessary to assure compliance with this Chapter.
- C. Nothing in this Section precludes use of grass clippings or other mulch and/or composting, provided there is no odor objectionable to the senses of the average person or unsightly accumulation of the materials.

- D. The Town may provide exemptions for the following: natural open space, natural parks, conservation areas, erosion control areas, irrigation and/or detention areas, and areas owned and maintained by the Town.

8.28.050 Clogging drainageways.

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

8.28.060 Reserved.

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.

Noxious weed control shall be managed and considered in accordance with the Colorado Noxious Weed Act, Title 35, Article 5.5, Colorado Revised Statutes.

8.28.150 Enforcement.

The prohibitions and requirements in this Chapter are subject to enforcement under Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter may also result in a Municipal Court summons as a Code.

Chapter 8.30 STORMWATER DISCHARGE AND EROSION CONTROL

8.30.010 Purpose.

- A. The purpose of this Chapter is to protect the public health, safety, and welfare of the Town's citizens and to protect the public infrastructure and 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 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 has been awarded a Colorado Discharge Permit System General Permit (MS4 Permit). This permit, effective March 10, 2008, authorizes the Town to discharge stormwater associated with municipal separate storm sewers in its permitted area into state waters. As part of this permit, the Town is required to establish measures to protect the quality of stormwater entering State waters.

8.30.020 Definitions.

As used in this Chapter, unless the context otherwise requires, the following words shall be defined as follows:

“Best Management 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)” means a plan for controlling erosion, sedimentation, and stormwater quality during construction in compliance with the laws, ordinances, regulations, standards, and specifications adopted by the Town consistent with 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)” means the conveyance system, including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, and storm drains, owned and operated by the Town.

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

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

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

8.30.030 Applicability and exclusion.

The entire area located within the Town’s boundaries shall be subject to this Chapter. All requirements imposed upon the Town as an MS4 within the Town’s NPDES permit boundaries shall be applicable to, and enforceable, within the entire Town limits. This Chapter shall not apply to land within the Town in its natural state which is undeveloped, undisturbed, or unaltered through vegetation removal, grading, or other construction activity.

8.30.040 Enforcement authority.

For purposes of this Chapter, the Department of Public Works or its assignee is designated as the enforcement authority.

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 this Chapter. The site development contractor retained by the site owner shall obtain a site development permit and accept responsibility for maintaining all erosion and sedimentation control on the site. The contractor shall follow all applicable Town procedures for obtaining a site development permit prior to any site disturbance, including preparation, submittal, and approval by the Town and all applicable agencies of an ESQCP pursuant to the Town Code as appropriate.
- B. Any individual construction site with a gross area of disturbance less than one-half acre shall provide evidence through a sketch, narrative, or other means that BMPs are being implemented.
- C. 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 25 acres. Developments larger than 25 acres must submit a phasing plan for site development that addresses temporary and permanent erosion control measures for each phase of development. Installation of all erosion control and sedimentation prevention measures shall be completed for each phase and accepted by the Department prior to initiating the next development phase.
- D. All construction sites shall have an 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 Plan shall comply with the Town Code as appropriate.
- E. Compliance inspections shall be conducted by Town representatives on a routine basis to determine if the site development contractor is adhering to this Chapter.
 - 1. Complaint response inspections shall be conducted by the Department if it receives a report of deficiencies.
 - 2. The Town shall complete inspection reports every 45 days outlining all deficiencies observed and maintenance techniques that should be implemented.
 - 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. 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 increases 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 through vegetation and soil. Water instead collects 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 roadside ditches and banks, migration of silt and sediment into the municipal stormwater system and/or protected downstream environments, and flooding.

- B. In accordance with the MS4 permit, the Town has developed a program to ensure continuous operation and maintenance of permanent BMP's. The Operations and Maintenance Agreement must include the following elements:
1. Each site shall be individually designed with the proper BMPs 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 selecting and siting 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. Once construction is complete, as-built plan certification and a letter of substantial conformance shall be submitted by a State licensed professional engineer to ensure that constructed stormwater management practices and conveyance systems comply with the specifications in the approved plans. At a minimum, as-built certification shall include 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 Director of Planning. ESQCP financial assurances shall not be released until the certification is received and accepted by the Director of Planning.
 3. Projects greater than one acre shall have an inspection and maintenance plan (IM Plan) which ensures the continued function of the permanent BMPs as designed and constructed. The IM Plan shall be developed concurrently with the facility design, submitted with the ESQCP, and reviewed by the Town. The IM Plan shall specify those responsible for inspection and maintenance, list recommended inspection and maintenance activities and frequencies, address access, specify approximate annual maintenance costs, and specify responsibility 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. Unless a permanent stormwater quality BMP is dedicated to and accepted by the Town, the responsible party must execute an Operations and Maintenance Agreement binding on all subsequent land owners served by the BMP. This Agreement 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 Agreement shall identify by name or official title the person(s) responsible for carrying out the maintenance and refer to the approved IM Plan for required maintenance and inspection activities. The Agreement shall provide 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 shall provide an Agreement template for completion by the responsible party. A signed Operations and Maintenance Agreement shall be submitted to the Town. The Town shall not release any financial sureties for the project until the Operations and Maintenance Agreement is recorded.

5. The Operations and Maintenance Agreement shall state the party responsible for performing periodic inspections of the stormwater BMPs and submitting an annual report to the Public Works Director. The annual report 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 shall be submitted to the Public Works Director no later than May 31st of each year. The completed report shall be sent to:

Director of Public Works
506 N. Jefferson Street
Monument, CO 80132

In the event the self-inspection results are not submitted, the Public Works Director or their designee shall contact the responsible party by registered or certified mail regarding the missed inspection. The responsible party shall have 20 business days 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) 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 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 shall also inspect facilities once an NOV has been issued for not performing self-inspections. A notification of inspection letter shall be sent by the Public Works Director to the responsible party informing them that an inspection is scheduled. The letter shall include the date of the inspection, what to expect, and encourage completion of routine maintenance actions by the responsible party prior to the inspection.

If deficiencies are noted during the inspection, the Public Works Department shall notify the responsible party by registered or certified mail of the issues. The responsible party shall have 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 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, 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, 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. 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 shall be kept by the responsible party for a minimum of three years.
- C. All individual single-family residential lots shall be landscaped pursuant to Chapter 18.05, Article 4 of this Code with front yards landscaped within six months of issuance of a certificate of occupancy, and side and rear yards landscaped within 12 months of issuance of a certificate of occupancy. A deferred permit may be issued by the Director of Planning for good cause. 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 are not landscaped until such time as final landscaping inspection approval has been issued by the Planning Department.

8.30.070 Enforcement.

The prohibitions and requirements in this Chapter are subject to enforcement under Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town

Manager, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter may also result in a Municipal Court summons as a Code.

Chapter 8.32 SOLICITATION

8.32.010 Definitions.

“Automated Teller Machine” 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.

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

“Obstruct” means to hinder, retard, or slow progress, make accomplishment of obtaining a goal slower or more difficult, be or come in the way of, or impede.

“Public Place” 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, 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, vestibule, or area of immediate access to any public place, store, shop, restaurant, tavern, or other place of business.

“Soliciting” means to knowingly approach, accost, or stop another person in a public place 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 does not include passively standing or sitting with a sign or other indication that one is seeking donations without addressing 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:

- A. Aggressively solicit in any public place. Aggressive solicitation means engaging in one or more of the following:
 1. Continuing to solicit from a person after the person has given a negative response to the soliciting.
 2. Intentionally touching or causing physical contact with another person without that person’s consent while soliciting.
 3. 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 while soliciting.
 4. Using violent or threatening conduct toward a person solicited which would cause a reasonable person to fear for their safety.
 5. 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 do not want to be solicited or give money or anything of value to the solicitor.

6. Using profane or abusive language likely to provoke an immediate violent reaction from the person being solicited or cause a reasonable person to fear for their safety.
 7. Soliciting money from anyone waiting in line for tickets, entry into a building, or another purpose.
 8. Approaching or following a person for solicitation as part of a group of two or more using conduct, words, or gestures intended or likely to cause a reasonable person to fear imminent bodily harm, damage to or loss of property, or feel intimidated into giving money or anything of value.
- B. Solicit on any private or residential property after being asked to leave or refrain from soliciting by the owner or other person lawfully in possession of the property.
 - C. Solicit within 20 feet of any automated teller machine provided 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.
 - D. Solicit in or upon any public transportation vehicle or public transportation facility within or at any bus stop, parking lot, structure, or other parking facility.
 - E. Solicit within six feet of a building entrance.
 - F. Solicit any person entering or exiting a parked motor vehicle or in a motor vehicle stopped on the street.
 - G. Solicit any person located within the patio or sidewalk area of a retail business establishment that serves food and/or drink.
 - H. 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 Chapter shall prevent a person from acting in accordance with a valid license or permit.

8.32.040 Enforcement.

The prohibitions and requirements in this Chapter are subject to enforcement under Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter may also result in a Municipal Court summons as a Code.

Chapter 8.34 KRATOM REGULATIONS

8.34.010 Definitions.

“Kratom” means a product containing *Mitragyna speciosa*, mitragynine, or 7-hydroxymitragynine or *Mitragyna speciosa*, 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 Sale of kratom prohibited.

No business shall sell or offer to sell within the Town any kratom products.

8.34.030 Enforcement.

The prohibitions and requirements in this Chapter are subject to enforcement under Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter may also result in a Municipal Court summons as a Code.

Chapter 8.36 UNLAWFUL CAMPING

8.36.010 Definitions.

“Camp” 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. 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.

“Park” 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.

“Store” means to put aside or accumulate for use when needed, put for safekeeping, place, or leave in a location.

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 any park, street, or publicly owned parking lot or publicly owned area, improved or unimproved, except as permitted pursuant to [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.

8.36.030 Storing personal property in public places.

It shall be unlawful for any person to store personal property, including camp facilities and camp paraphernalia, in 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 [8.36.060](#) of this Code.

8.36.040 Enforcement.

The prohibitions and requirements in this Chapter are subject to enforcement under Title 2, including but not limited to, Chapter 2.36, Articles 5, 6, and 7. At the discretion of the Town Manager, Town staff members delegated authority for enforcement of this Chapter, or the police department, violations of this Chapter may also result in a Municipal Court summons as a Code.

8.36.050 Parked recreational vehicles exempt.

This Chapter shall not apply to recreational vehicles parked on any street, publicly owned parking lot, or publicly owned area, improved or unimproved, provided the vehicle is not parked in the same spot for more than three consecutive days without being moved.

TOWN OF MONUMENT

ORDINANCE 07- 2026

AN ORDINANCE AMENDING TITLE 2 SECTION 2.36.030 OF THE MONUMENT MUNICIPAL CODE TO REVISE THE PROCEDURE FOR SCHEDULING MUNICIPAL COURT SESSIONS

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, under the Charter and the Monument Municipal Code (“Code”), the Council has authority to enact ordinances and amend the Code; and

WHEREAS, the Council finds it necessary and in the best interests of the Town to amend Title 2, Section 2.36.030 of the Code to update the process and procedure for establishing the Municipal Court schedule; and

WHEREAS, adoption of this ordinance will promote the efficient administration of justice and the public health, safety, and welfare; 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 March 16, 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. Amendment of Section 2.36.030. Section 2.36.030 of the Monument Municipal Code is hereby amended with underlined text being added and stricken text being deleted to read as follows:

Regular sessions of the Municipal Court shall be held on ~~the third Wednesday of each month at 5:30 p.m. at the Town Hall located at 645 Beacon Lite Road, Monument Colorado.~~ dates and at times and locations established and revised by administrative order issued by the Municipal Court Administrator. The date, time, and location of court sessions shall be posted in a conspicuous place on the Town’s website. If emergency or unforeseen circumstances require a change to an

individual session's date, time, or location, the Municipal Court Administrator shall issue an emergency administrative order, and as soon as practicable, post notice of the change conspicuously on the Town's website and on the front door of Town Hall. The Municipal Court Administrator shall also make reasonable efforts to notify all defendants scheduled to appear at the rescheduled session.

Section 3. Publication. Pursuant to Section 6.5, 3. of the Charter and Subsection 2.04.040(F) 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 16th day of March, 2026 by a vote of _____ for and _____ against.

TOWN OF MONUMENT, COLORADO

By: _____
Mitch LaKind, Mayor

Attest:

Tina Erickson, Town Clerk

MEMORANDUM

TO: The Honorable Mayor and Town Council
FROM: Thomas A. Tharnish, Director of Public Works
DATE: March 16, 2026
RE: Ordinance 03-2026 prohibiting the installation of graywater treatment works and the associated use of graywater within the Town of Monument.

BACKGROUND: The Town of Monument Water Department staff has evaluated House Bill (HB) 24-1362 which enables the installation of graywater treatment works and the use of graywater in new construction projects unless a board of county commissioners or governing body of a municipality adopts a resolution or ordinance to the contrary. If the governing body does not prohibit the installation of graywater treatment works and the associated use of graywater, that governing body is responsible for adopting building codes that prevent graywater from entering a potable water system including backflow prevention cross-connection control devices. If permitted, the primary burden is placed on the local government's building department to oversee the permitting, compliance and coordination with the local drinking water provider. The effective date of the Act is January 1, 2026.

DISCUSSION: At a recent advisory board meeting, Pikes Peak Regional Building Department stated that they are not set up to permit graywater works and the Monument Sanitation District has also expressed an opposition to the use of graywater within the MSD service area. Furthermore, without having detailed information about how a graywater system would function, Town of Monument Water Department staff also have concerns about the use of graywater. We have had our water attorney weigh in on the issue and he is also recommending prohibiting the use of graywater based upon the potential reduction of the Town's creditable lawn irrigation return flows and reducing the return flows to the wastewater treatment plants where our return flows are processed. We also have been in contact with both Woodmoor Water and Sanitation District and the Triview Metro District, both supplying their water to our citizens by way of special district water service areas, and they both are in support of prohibiting graywater and its uses in their water systems.

PROS/CON'S: Pro's - By moving forward with this ordinance to prohibit the installation of graywater treatment works and the associated use of graywater, it will keep the Town from losing valuable return flows due to a reduction of flows into the wastewater treatment facility. Con's - By not approving this ordinance, we will need to develop some safety protocols and build a system to track the required backflow protections needed to prevent cross-connections with our drinking water system. We would also have to evaluate what the loss of some return flows would do to the future reuse choices that we need to make.

FISCAL IMPACT: The total cost of having to implement additional backflow protections such as having homeowners install more robust backflow devices are unknown at this time.

STAFF RECOMMENDATION: **Recommend passage of Ordinance 03-2026, prohibiting the installation of graywater treatment works and the associated use of graywater within the Town of Monument.**

TOWN OF MONUMENT

ORDINANCE 03 - 2026

AN ORDINANCE PROHIBITING THE INSTALLATION OF GRAYWATER TREATMENT WORKS AND THE ASSOCIATED USE OF GRAYWATER WITHIN THE TOWN OF MONUMENT IN ACCORDANCE WITH THE REQUIREMENTS OF HOUSE BILL 24-1362

WHEREAS, House Bill (HB) 24-1362 enables a person to install graywater treatment works and use graywater in new construction projects beginning on January 1, 2026, unless a board of county commissioners or governing body of a municipality adopts a resolution or an ordinance to the contrary; and,

WHEREAS, the Town of Monument, a home rule municipality organized pursuant to Article XX, Section 6 of the Colorado Constitution, regulates the use of water supplied through to Town water works system, including controlling and managing all things pertaining to the Town water works system and the design and installation standards for potable water distribution systems, §§ 13.04.020, 13.04.030, and 13.04.080, MMC; and,

WHEREAS, the Pikes Peak Regional Building Department, which serves as the building department for the Town of Monument has stated that they are not set up to permit graywater works and the Monument Sanitation District, which provides wastewater collection and treatment services at the Tri-Lakes Wastewater Facility has expressed an opposition to the use of graywater within the District's service area; and

WHEREAS, the use of graywater systems by customers may negatively impact the current efforts of the Town and other water providers within the Town to develop a reusable water supply; and

WHEREAS, the prohibition of the installation of graywater treatment works and the use of graywater in the Town of Monument may be reconsidered in the future if deemed appropriate.

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. Addition of Section 13.04.085, Prohibition of Graywater Systems. Section 13.04.085 of the Monument Municipal Code is hereby amended to read as follows:

13.04.085 – Prohibition of Graywater Systems.

As allowed by HB 24-1362, the Town prohibits the installation of graywater treatment works and the associated use of graywater within the Town of Monument.

SECTION 3. Publication. Pursuant to Subsection 6.5, 3 of the 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 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 there 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, El Paso County, Colorado, this 16th day of March 2026 by a vote of ___ for and ___ against.

TOWN OF MONUMENT

Mitch LaKind, Mayor

ATTEST:

Tina Erickson, Town Clerk

MEMORANDUM

TO: The Honorable Mayor and Town Council
FROM: Thomas A. Tharnish, Director of Public Works
DATE: March 16, 2026
RE: Resolution 18-2026 to approve a purchase of a new water emergency response truck

BACKGROUND: The Town of Monument Water Department has a need to replace the current water emergency response vehicle as it has become an expensive vehicle to maintain and has some engine issues that are expensive to repair. The current response vehicle is a 2006 van that has been used almost exclusively to respond to the many water main breaks that have occurred over the last 20 years. After consulting with our mechanics in-house and reviewing maintenance records, the conclusion is that this vehicle has reached the end of its useful life.

DISCUSSION: The search for a replacement truck has been very difficult to find a vehicle that will meet our current needs and that we could rely upon in the future. We did a nationwide search and found the current truck that meets our needs and the dealer has the “Sourcewell” pricing built into the cost. By utilizing a dealer that has “Sourcewell” pricing, our purchasing and procurement policy allows us to move forward without having to perform a RFP for this purchase. The cost before you tonight, if approved, includes transportation to our facility. Once the vehicle arrives here, our mechanics will need to attach many types of additional equipment to ensure we have the best setup to perform our jobs while on an emergency repair project. This truck is a 2024 truck but comes with all the warranties that are associated with a new vehicle purchase.

PROS/CON’S: Pro’s - By moving forward with this resolution to approve the purchase of a new water emergency vehicle, it will allow the water operators to continue their policy of responding to all water emergencies in a timely manner and repair the water leaks. Con’s - By not approving this resolution, we will need to search for an additional vehicle and continue to put more money into a very expensive truck to maintain.

FISCAL IMPACT: The fiscal impact of purchasing this vehicle is a not-to-exceed price of **\$97,531.00** to be funded out of the WEF in the 2026 budget.

STAFF RECOMMENDATION: **Recommend passage of Resolution 18-2026, approving the purchase of a new water emergency vehicle to replace our current 20 year old vehicle.**

TOWN OF MONUMENT

RESOLUTION NO. 18 - 2026

**A RESOLUTION APPROVING THE PURCHASE OF A NEW WATER
EMERGENCY RESPONSE VEHICLE**

WHEREAS, the Water Department currently operates a 2006 water emergency response vehicle that is presently running near the end of its useful life and is in need of many repairs that are very costly, and;

WHEREAS, the outlook for the future of the current vehicle casts doubts on its long term service capabilities as an emergency response vehicle, and;

WHEREAS, the staff has identified a new replacement vehicle, 2024 model year, as the most suitable replacement vehicle to meet our current operational requirements and anticipated future needs for water emergency responses, and:

WHEREAS, the current estimated purchase price of **\$97,531.00** is under budget and will be delivered and then upfitted by our mechanics, and;

WHEREAS, the Water Department staff recommends the approval of the purchase of this replacement water emergency response vehicle to replace the current 20-year-old, high maintenance vehicle.

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

The Town Council hereby approves the purchase of a new 2024 water emergency response vehicle to replace the current 2006 vehicle.

PASSED AND RESOLVED by the Town Council of the Town of Monument, El Paso County, Colorado, this 16th day of March 2026 by a vote of ___ for and ___ against.

TOWN OF MONUMENT

Mitch LaKind, Mayor

ATTEST:

Tina Erickson, Town Clerk

RETAIL BUYER'S ORDER

STYKEMAIN CHEVROLET LLC

1255 N Williams St

Paulding, OH 45879
(419)399-2071

STOCK NO. 24C9667
DEAL NO.

PURCHASER'S NAME TOWN OF MONUMENT DATE 02/19/26
 STREET ADDRESS 645 BEACON LITE ROAD PHONE N/A
 CITY MONUMENT COUNTY EL PASO STATE CO ZIP 80132 SALESPERSON AUSTIN SEARS
 ENTER MY ORDER FOR ONE NEW USED CAR TRUCK DEMONSTRATOR FACTORY OFFICIAL RENTAL VEHICLE AS FOLLOWS:

YEAR 2024	MAKE CHEVROLET	MODEL SILVERADO MD	BODY TYPE 4WD CREW CAB WOR	COLOR SUMMIT WHITE	TRIM DARK ASH/JET BLACK AC
VIN 1HTKJPVM6RH221081			TO BE DELIVERED ON OR ABOUT 02/19/26		STOCK NO. 24C9667

PRICE OF VEHICLE	\$ 105,573.00	ODOMETER MILEAGE STATEMENT THE ODOMETER OF THE PURCHASED VEHICLE NOW READS <u>16</u> MILES/KILOMETERS AND IS ACCURATE UNLESS CHECKED BELOW. <input type="checkbox"/> ODOMETER MILEAGE IS NOT ACCURATE. REFER TO THE FEDERAL MILEAGE STATEMENT FOR FULL DISCLOSURE.
OTHER GOODS & SERVICES ACCESSORIES	3,128.00	
N/A	N/A	
N/A	N/A	
N/A	N/A	
N/A	N/A	
N/A	N/A	
N/A	N/A	
N/A	N/A	
N/A	N/A	
DOCUMENTARY FEE	N/A	TRADE-IN RECORD 1 YEAR <u>N/A</u> MAKE <u>N/A</u> MODEL <u>N/A</u> TYPE <u>N/A</u> VIN # <u>N/A</u> MILEAGE <u>N/A</u> PAYOFF \$ <u>N/A</u> Trade In Allowance <u>N/A</u>
TAXABLE PRICE	108,701.00	TRADE-IN RECORD 2 YEAR <u>N/A</u> MAKE <u>N/A</u> MODEL <u>N/A</u> TYPE <u>N/A</u> VIN # <u>N/A</u> MILEAGE <u>N/A</u> PAYOFF \$ <u>N/A</u> Trade In Allowance <u>N/A</u>
N/A	N/A	NEGATIVE EQUITY DISCLOSURE & CONSENT: I am aware that the balance owed on my trade-in vehicle(s) or the amount owed on my lease turn in vehicle(s) exceeds the trade in allowance(s) from the dealer. As a result, I have requested that the "Total Due" be increased by the difference, \$ <u>N/A</u> (known as negative equity). INITIALS: _____ <input type="checkbox"/> SEE VEHICLE DELIVERY REPORT ATTACHED <input type="checkbox"/> SEE USED VEHICLE LIMITED WARRANTY ATTACHED <input type="checkbox"/> LIMITED RIGHT TO CANCEL APPLIES: If you have entered into a Spot Delivery Agreement-Limited Right to Cancel, the sale of the Vehicle is conditioned on final approval of financing by, or assignment of the Retail Installment Sale Contract to a lender. If final financing approval is not obtained and/or the Contract cannot be assigned, you or the Dealership may cancel the Contract in accordance with this Agreement, the Spot Delivery Agreement-Limited Right to Cancel, and the Retail Installment Sale Contract. SEE ATTACHED DOCUMENT FOR IMPORTANT DETAILS <input type="checkbox"/> DEPOSIT RECEIPT: Dealer hereby acknowledges receipt of the sum of \$ <u>N/A</u> as a deposit or partial payment for the vehicle described above. If this receipt is for a deposit, Dealer will refrain from selling the described vehicle for <u>N/A</u> days. This Deposit: <input type="checkbox"/> IS <input type="checkbox"/> IS NOT REFUNDABLE, subject to the conditions on page 3 and the following:
LESS: TRADE IN ALLOWANCE(S)	N/A	
N/A	N/A	
N/A	N/A	
TAX BASE \$ 108,701.00		
SALES TAX <u>N/A</u> %	0.00	
DOCUMENTARY FEE	295.00	
N/A	N/A	
N/A	N/A	
TITLE FEE	35.00	
REGISTRATION FEE	N/A	
CREDIT LIFE AND DISABILITY	N/A	
PLUS: PAYOFF ON TRADE VEHICLE(S)	N/A	
TOTAL DUE	\$ 109,031.00	
LESS INITIAL PAYMENT/CASH DOWN	0.00	
LESS REBATE/FACTORY INCENTIVE	11,500.00	
OTHER	N/A	
BALANCE DUE	\$ 97,531.00	

REMARKS

Customer Initials _____ Co-Customer Initials _____

ALL WARRANTIES, IF ANY, BY A MANUFACTURER OR SUPPLIER OTHER THAN DEALER ARE THEIRS, NOT DEALERS, AND ONLY SUCH MANUFACTURER OR OTHER SUPPLIER SHALL BE LIABLE FOR PERFORMANCE UNDER SUCH WARRANTIES. UNLESS DEALER FURNISHES PURCHASER WITH A SEPARATE WRITTEN WARRANTY OR SERVICE CONTRACT MADE BY DEALER ON ITS OWN BEHALF, DEALER HEREBY DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE IN CONNECTION WITH THE VEHICLE AND ANY RELATED PRODUCTS AND SERVICES SOLD BY DEALER. DEALER NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR IT ANY LIABILITY IN CONNECTION WITH THE SALE OF THE VEHICLE AND THE RELATED PRODUCTS AND SERVICES. IN THE EVENT THAT A WRITTEN WARRANTY IS PROVIDED BY DEALER OR A SERVICE CONTRACT IS SOLD BY DEALER ON ITS OWN BEHALF, ANY IMPLIED WARRANTIES ARE LIMITED IN DURATION TO THE TERM OF THE WRITTEN WARRANTY/SERVICE CONTRACT.

JURY WAIVER: THE PURCHASER AND DEALER WAIVE AND RENOUNCE THE RIGHT UNDER FEDERAL AND STATE LAW TO A TRIAL BY JURY FOR ANY CLAIM.

GOVERNING LAW: THE TERMS AND CONDITIONS OF THIS AGREEMENT (INCLUDING ANY DOCUMENTS WHICH ARE A PART OF THIS TRANSACTION OR INCORPORATED HEREIN BY REFERENCE) AND ANY SALE HEREUNDER WILL BE GOVERNED BY THE LAWS OF THE STATE OF OHIO.

CONTRACTUAL DISCLOSURE STATEMENT (USED VEHICLES ONLY) THE INFORMATION YOU SEE ON THE WINDOW FORM FOR THIS VEHICLE IS PART OF THIS CONTRACT. INFORMATION ON THE WINDOW FORM OVERRIDES ANY CONTRARY PROVISIONS IN THE CONTRACT OF SALE. GUÍA PARA COMPRADORES DE VEHÍCULOS USADOS. LA INFORMACIÓN QUE VE EN EL FORMULARIO DE LA VENTANILLA PARA ESTE VEHÍCULO FORMA PARTE DEL PRESENTE CONTRATO. LA INFORMACIÓN DEL FORMULARIO DE LA VENTANILLA DEJA SIN EFECTO TODA DISPOSICIÓN EN CONTRARIO CONTENIDA EN EL CONTRATO DE VENTA.

All pages of this Agreement, the finance document, if one was signed by the customer, and any documents incorporated herein comprise the entire agreement affecting this purchase and no other agreement or understanding of any nature concerning same has been made or entered into, or will be recognized. I have read the terms and conditions printed on all pages of this agreement hereof and agree to them as a part of this Agreement the same as if it were printed above my signature. I certify that I am at least 18 years old, and hereby acknowledge receipt of a copy of this Agreement. **THIS ORDER IS NOT VALID UNLESS SIGNED AND ACCEPTED BY DEALER OR HIS AUTHORIZED REPRESENTATIVE.**

BUYER SIGNS X _____	DATE	02/19/26
CO-BUYER SIGNS X _____	DATE	N/A
Dealer or Authorized Representative (Must Be Accepted By An Authorized Representative of the Dealer)		
X _____	DATE	02/19/26

Customer Initials _____ Co-Customer Initials _____

ADDITIONAL TERMS AND CONDITIONS

1. **DEFINITIONS.** As used in this Agreement the terms (A) "Dealer" shall mean the person or company to whom this Agreement is addressed and who shall become a party to this Agreement by its acceptance. (B) "Purchaser" shall mean the party initiating this Agreement as stated on pages 1 and 2 of the Agreement. (C) "Manufacturer" shall mean the corporation that manufactured the vehicle or chassis, it being understood, by the Purchaser and Dealer that the Dealer is in no respect the agent of the Manufacturer. The Dealer and Purchaser are the sole parties to this Agreement and any reference to the Manufacturer is for the purpose of explaining generally certain contractual relationships existing between the Dealer and Manufacturer. (D) "Document" and "Agreement" shall mean this Retail Buyer's Order plus any other writing relative in any way to the purchase transaction noted on pages 1 and 2 of this Retail Buyer's Order.

2. **PRICE CHANGES.** In the event the Manufacturer shall notify the Dealer of a change in price for new motor vehicles of the same style and type as the vehicle ordered by this Agreement, and prior to delivery of the vehicle ordered by Purchaser, the Dealer shall have the right to adjust the cash price of the vehicle ordered, only in the amount of the increase. In the event of any such change in the cash price, the Purchaser shall have the option of concluding the purchase at the adjusted price or canceling this Agreement. Should the Purchaser elect to cancel this Agreement, the Dealer will refund to the Purchaser all amounts previously paid, and if the Purchaser has delivered to the Dealer a trade-in vehicle as all or part of the payment required, the Dealer shall redeliver the trade-in vehicle to the Purchaser. If Dealer has already sold the trade-in vehicle, the Dealer may refund to the Purchaser the proceeds of the sale less any reasonable expenses incurred in connection with preparing or reconditioning the trade-in vehicle for sale and the Balance paid on Purchaser's behalf to a Lienholder. If the net proceeds of the sale of the trade-in is negative then Purchaser shall be obligated to Dealer for that amount. If the vehicle was a lease turn-in and Dealer has already paid the Balance owed, Purchaser shall pay to Dealer the amount paid on Purchaser's behalf.

3. **MANUFACTURER'S DESIGN CHANGES.** In the event the Manufacturer shall change or modify the design of or any part or accessory of the new motor vehicle after the Purchaser's order for the new vehicle has been entered by the Dealer, the Purchaser shall have no claim or right against the Dealer should the Purchaser's new vehicle not contain such changes or modifications, nor shall the Dealer be required to effect such changes or modifications to the Purchaser's new vehicle.

4. **DELAYS IN DELIVERY.** The Purchaser understands that the Dealer shall not be liable for any damages resulting from a failure to deliver or other delays caused by the Manufacturer, accidents, fire or any other causes beyond the Dealer's control. This Agreement may be renegotiated or canceled by the Purchaser with full refund of deposit, if the ordered vehicle is not delivered by the date specified on page 1 of this Agreement.

5. **CHANGES OTHER THAN MANUFACTURER'S DESIGN CHANGES.** If the ordered vehicle arrives at the Dealer's place of business not equipped in accordance with this Agreement, the Purchaser has the right to refuse to accept delivery, with no loss of deposit, or renegotiate a new purchase agreement.

6. **TRADE-IN VEHICLE APPRAISAL.** If the Purchaser is delivering a trade-in vehicle as part of the purchase price and the delivery will not be made until delivery of the Purchaser's ordered vehicle, the Dealer shall have the right to reappraise the Purchaser's trade-in vehicle at the time of delivery of the ordered vehicle. The reappraised amount shall be the amount allowed for the trade-in vehicle in this Agreement. If the Purchaser is dissatisfied with the reappraisal, the Purchaser may cancel this Agreement with a full refund of deposit, provided that the cancellation occurs prior to the Purchaser taking delivery of the ordered vehicle.

7. **BALANCE OWED ON TRADE-IN.** If the Purchaser is delivering a trade-in vehicle or is turning in a leased vehicle as part of this transaction and the actual amount of the balance owed on the trade-in vehicle/lease turn-in is different than the amount of the balance owed as listed in this Agreement, the Purchaser agrees to pay the difference to the Dealer if the actual amount of the balance owed is greater than the amount listed and, if the actual amount of the balance owed is less than the amount listed, the Dealer agrees to pay the difference to the Purchaser.

8. **TITLE TO THE TRADE-IN VEHICLE.** Any trade-in vehicle delivered by the Purchaser to the Dealer in connection with this Agreement shall be accompanied by documents sufficient to enable the Dealer to obtain a title to the trade-in vehicle in accordance with applicable state law. The Purchaser warrants that any trade-in vehicle delivered to the Dealer is properly titled to the Purchaser, has never been branded, including but not limited to a salvage vehicle, a rebuilt or reconditioned vehicle, a flood vehicle or a lemon buyback, that the Purchaser has the right to sell or otherwise convey such vehicle, that such vehicle is free and clear of all liens or encumbrances except as may be noted on page 1 of this Agreement, and that all emission control equipment is on the vehicle and in satisfactory working order and the odometer reading shown is accurate unless otherwise disclosed.

9. **TRADE-IN AND OTHER CREDITS.** Purchaser agrees that no Trade-In or Other Credits have been provided by Dealer to Purchaser in connection with this purchase transaction except as appears in writing on pages 1 and 2 of this Agreement.

10. **PURCHASER'S DEFAULT OR REFUSAL TO PURCHASE.** In the event of any failure by the Purchaser to perform the Purchaser's obligations, including but not limited to, any failure to take delivery of or to pay the agreed purchase price for the ordered vehicle, the Dealer shall be permitted to retain an amount equal to any actual damages the Dealer incurred due to the Purchaser's default. If the Purchaser has delivered a trade-in vehicle to the Dealer as part or all of the purchase price, the Dealer may return the trade-in vehicle to the Purchaser if the Dealer has not already sold the trade-in vehicle. If Dealer has already sold the trade-in vehicle, the Dealer may refund to the Purchaser the proceeds of the sale less any reasonable expenses incurred in connection with preparing or reconditioning the trade-in vehicle for sale and the Balance paid on Purchaser's behalf to a Lienholder. If the vehicle was a lease turn-in and Dealer has already paid the Balance owed, Purchaser shall pay to Dealer the amount paid on Purchaser's behalf.

11. **TAX LIABILITY.** The Purchaser shall be liable for all sales, use or other taxes of a similar nature applicable to the transaction unless such payment otherwise is prohibited by law; provided that the Purchaser shall in no event be liable for any taxes calculated on the Dealer's income.

12. **INSURANCE UNAVAILABILITY.** In the event this Agreement includes a charge for credit life or credit disability insurance and for any reason such insurance cannot be provided, the Purchaser shall receive a credit for the amount charged for such insurance, which shall be applied to any outstanding balance owed to Dealer or any assignee of Dealer. The inability of the Dealer or any assignee of the Dealer to secure such insurance for the Purchaser shall not relieve the Purchaser from the Purchaser's obligation to purchase the vehicle described in this Agreement. Credit life and credit disability insurance are not mandatory.

13. **SIGNING OF OTHER DOCUMENTS.** Purchaser agrees to sign any and all documents necessary to complete the terms of this sale.

14. **INTENT TO EXPORT.** In the event that the Purchaser has taken delivery of a new vehicle, as opposed to a used vehicle, the Purchaser warrants that he/she does not intend to export the vehicle outside the U.S. or one of its territories.

15. **VEHICLE TITLING.** Purchaser acknowledges that the dealer will obtain title in the customer's name in Ohio. If the purchaser removes the vehicle to another state, the customer shall be responsible for titling, registering, and paying taxes as may be required by law.

16. In the event that any of the terms and conditions of this Agreement are inconsistent with the terms and conditions of any other document signed as part of this transaction, excluding any retail installment sale agreement between Buyer and Seller, the terms of this Agreement shall apply.

Customer Initials _____ Co-Customer Initials _____



TOWN OF MONUMENT COUNCIL MEMORANDUM

TO: Mayor and Town Council

FROM: Steve Murray, Senior Accountant

THROUGH: Jennifer Phillips, Finance Director

DATE: March 16, 2026

SUBJECT: Adoption of Investment Policy

STRATEGIC PRIORITIES (2026–2028)

- Ensure Long-Term Financial Health and Sustainability** - Supports long-range financial health, forecasting and sustainability to ensure efficient and resilient municipal services.
- Strengthen Community Engagement** - Enhances community engagement, and strengthens communication and collaboration with residents, partners, and neighboring communities.
- Enable Responsible Community Development** - Establishes clear, accountable plans, processes, and procedures for responsible and enduring community development and growth.
- Reinforce a Positive Work Culture** - Promotes a positive and professional work culture that attracts and retains top talent and enhances high-quality service delivery to the community.

PURPOSE OF MEMORANDUM: Present the Investment Policy to the Town Council and add a section about reporting and sustainability to be in compliance with the Town Code 'Finance Policy 10 – Cash Management and Investment' that was adopted on December 1st, 2025

BACKGROUND: The Town of Monument Investment strategy is being presented to the Town Council on March 16, 2026. The prior policy was adopted on April 6th, 2023, as a best practice to annually adopt the investment policy.

ATTACHMENTS: Resolution 19-2026 and Town of Monument Investment Policy

TOWN OF MONUMENT

RESOLUTION NO. 19-2026

**A RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF MONUMENT, COLORADO
APPROVING AN INVESTMENT POLICY**

WHEREAS, the Town of Monument has identified the need to ensure long-term financial health and sustainability as a strategic priority for 2026–2028, including supporting prudent financial planning, long-range forecasting, and responsible investment in order to maintain efficient, resilient, and high-quality municipal services for the benefit of the Monument community; and

WHEREAS, The Town Council of the Town of Monument approved Finance Policy 10 – Cash Management and Investment.

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

Section 1. Adoption. The Town Council hereby approves and adopts the Town of Monument Investment Policy, attached hereto as Exhibit A.

Section 2. Administration. The Town Manager and Finance Director shall develop further administrative procedures and take such actions to implement this Resolution as may be reasonably necessary.

Section 3. Effective Date. This Resolution shall take effect upon its approval by the Town Council.

PASSED AND RESOLVED by the Town Council of the Town of Monument, El Paso County, Colorado, this 16th day of March, 2026, by a vote of ___ for and ___ against.

ATTEST:

TOWN OF MONUMENT:

Tina Erickson, Town Clerk

Mitch LaKind, Mayor

TOWN OF MONUMENT
INVESTMENT POLICY
EXHIBIT A
Dated: March 16, 2026

POLICY

It is the policy of the Town of Monument (“The Town”) to invest public funds in a manner that will provide preservation of capital, meet the daily liquidity needs of The Town, diversify The Town’s investments, conform to all local and state statutes governing the investment of public funds, and generate market rates of return.

The Investment Policy addresses the methods, procedures and practices which must be exercised to ensure effective and judicious fiscal and investment management of The Town’s funds. It replaces any previous investment policy or investment procedures of The Town.

SCOPE

This Investment Policy shall apply to all funds accounted for in The Town’s Annual Financial Report.

Cash may be pooled for investment purposes. The investment income derived from the pooled investment account (as well as year-end calculated gain or loss on investments) shall be allocated to the contributing funds based upon the proportion of the respective balances relative to the total pooled balance in the investment portfolio. Interest earnings shall be distributed to the individual Town funds monthly. The investment income from investing of cash which is not part of the pooled account shall be distributed to the contributing fund.

INVESTMENT OBJECTIVES

The Town’s principal investment objectives are:

- Preservation of capital and protection of investment principal.
- Maintenance of sufficient liquidity to meet anticipated cash flows.
- Attainment of a market rate of return.
- Diversification to avoid incurring unreasonable market risks.
- Conformance with all applicable Town policies, State statutes and Federal regulations.

DELEGATION OF AUTHORITY

The Town of Monument Town Manager is vested with responsibility for managing The Town’s investment program and for implementing this Investment Policy. The Town Manager may delegate the authority to conduct investment transactions and to manage the operation of the investment portfolio to other specifically authorized staff members. No person may engage in an investment transaction except as expressly provided under the terms of this Investment Policy.

The Town Manager establish procedures and internal controls for the operation of The Town's investment program, designed to prevent loss of public funds due to fraud, error, misrepresentation, and imprudent actions.

The Town Manager may engage the support services of outside investment advisors with respect to its investment program, so long as it can be demonstrated that these services produce a net financial advantage or necessary financial protection of The Town's financial resources.

PRUDENCE

The standard of prudence to be used for managing The Town's investment program is the "prudent investor" standard applicable to a fiduciary, which states that a prudent investor "shall exercise the judgment and care, under the circumstances then prevailing, which [persons] of prudence, discretion, and intelligence exercise in the management of the property of another, not in regard to speculation but in regard to the permanent disposition of funds, considering the probable income as well as the probable safety of capital." (Colorado Revised Statutes Section 15-1-304, Standard for investments.)

The Town's overall investment program shall be designated and managed with a degree of professionalism that is worthy of the public trust. The Town recognizes that no investment is totally without risk and that its investment activities are a matter of public record. Accordingly, The Town recognizes that occasional measured losses may occur in a diversified portfolio and shall be considered within the context of the overall portfolio's return, provided that adequate diversification has been implemented and that the sale of a security in the best long-term interest of The Town.

The Town Manager and other authorized persons acting in accordance with established procedures and exercising good faith and due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided appropriate action is taken to control adverse developments and any deviations from expectations are reported to the Town Council in the next monthly financial report.

ETHICS AND CONFLICTS OF INTEREST

Town officials and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of The Town's investment program or that could impair or create the appearance of an impairment of their ability to make impartial investment decisions. Town officials and employees shall disclose to the Town Manager any material financial interest they have in financial institutions that conduct business with The Town. The Town Manager shall disclose any such interest he or she has to the Town Council. Town officials and employees shall subordinate their personal investment transactions to those of The Town and shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of The Town.

AUTHORIZED SECURITIES AND TRANSACTIONS

All investments will be made in accordance with the Colorado Revised Statutes as follows: C.R.S. 11-10.5-101, et seq., Public Deposit Protection Act; C.R.S. Title 24, Article 75, Part 6 (Funds-Legal Investment) and Part 7; (Investment Funds – Local Government Pooling).

This Investment Policy further restricts the investment of Town funds to the following types of securities and transactions:

1. U.S. Treasury Obligations
2. Federal Instrumentality Securities
3. Certificates of Deposit
4. Local Government Investment Pools
5. Money Market Mutual Funds

The foregoing list of authorized securities and transactions shall be strictly interpreted. Any deviation from this list must be approved by the Town Council.

The Town may, from time-to-time issue bonds, the proceeds of which must be invested to meet specific cash flow requirements. In such circumstances and notwithstanding the paragraph immediately above, the reinvestment of debt issuance or related reserve funds may, upon the advice of bond counsel or financial advisors, deviate from the provisions of this Investment Policy with the written approval of the Town Manager.

INVESTMENT DIVERSIFICATION

The Town shall diversify its investments to avoid incurring unreasonable risks inherent in over-investing in specific instruments, individual financial institutions, or maturities. Nevertheless, the asset allocation in the investment portfolio should be flexible depending upon the outlook for the economy, the securities markets and The Town's anticipated cash flow needs.

INVESTMENT MATURITY AND LIQUIDITY

The investment portfolio shall remain sufficiently liquid to meet all cash requirements that may be reasonably anticipated. To the extent possible, investments shall be matched with anticipated cash flows and known liabilities. Investments shall be limited to maturities not exceeding five years from the date of trade settlement.

SAFEKEEPING AND CUSTODY

The Town Council by resolution shall approve one or more banks to provide safekeeping and custodial services to The Town. A Town approved safekeeping agreement shall be executed with each custodian bank. Each financial institution that holds Town securities in safekeeping is known as a "custodian" bank. The Town's custodian banks shall qualify as eligible public depositories as defined in C.R.S. 11-10.5-103.

The purchase and sale of securities shall be settled on a delivery versus payment basis. Ownership of all securities shall be perfected in the name of The Town. Sufficient evidence to title shall be consistent with modern investment, banking, and commercial practices.

All investment securities, except non-negotiable Certificates of Deposit, Local Government Investment Pools, and Money Market Mutual Funds, purchased by The Town will be delivered by either book entry or physical delivery and will be held in third-party safekeeping by The Town approved custodian bank, its corresponding bank, or the Depository Trust Company (DTC).

All Fed wireable book entry securities shall be evidenced by a safekeeping receipt, or a customer confirmation issued to The Town by the custodian bank stating that the securities are held in the Federal Reserve system in a customer account for the custodian bank which will name The Town as “customer.”

All DTC eligible securities shall be held in the custodian bank’s DTC participant account and the custodian bank shall issue a safekeeping receipt evidencing that the securities are held for The Town as “customer.” The Town’s custodian bank will be required to furnish The Town a monthly report of safekeeping activity, including a list of month-end holdings.

REPORTING

The Town’s Finance team will review all investments on a quarterly basis and present a breakdown of the current earnings to the Town Council to ensure transparency and accountability in managing public funds. On a yearly basis, the Finance team will meet with the Town manager and evaluate current investments and report to the Town Council the future for maintaining current investments or report any upcoming changes.

SUSTAINABILITY

The Town will maintain contact with investment banks and reliable sources of information to stay up to date on current events in the US and world economy. In order to create a sustainable future, to be proper stewards of the Town’s funds and preserve the future funding.

The Town will evaluate investments on the following:

- Feasibility: Make sure that investments are technically and financially feasible.
- Alignment of goals: Investments should align with the Town’s short- and long-term goals.

Investments shall adhere to the following:

- Made with sound judgment, care, and knowledge
- Not from speculation but from investment basis
- Be made in the Towns best interests

POLICY REVISIONS

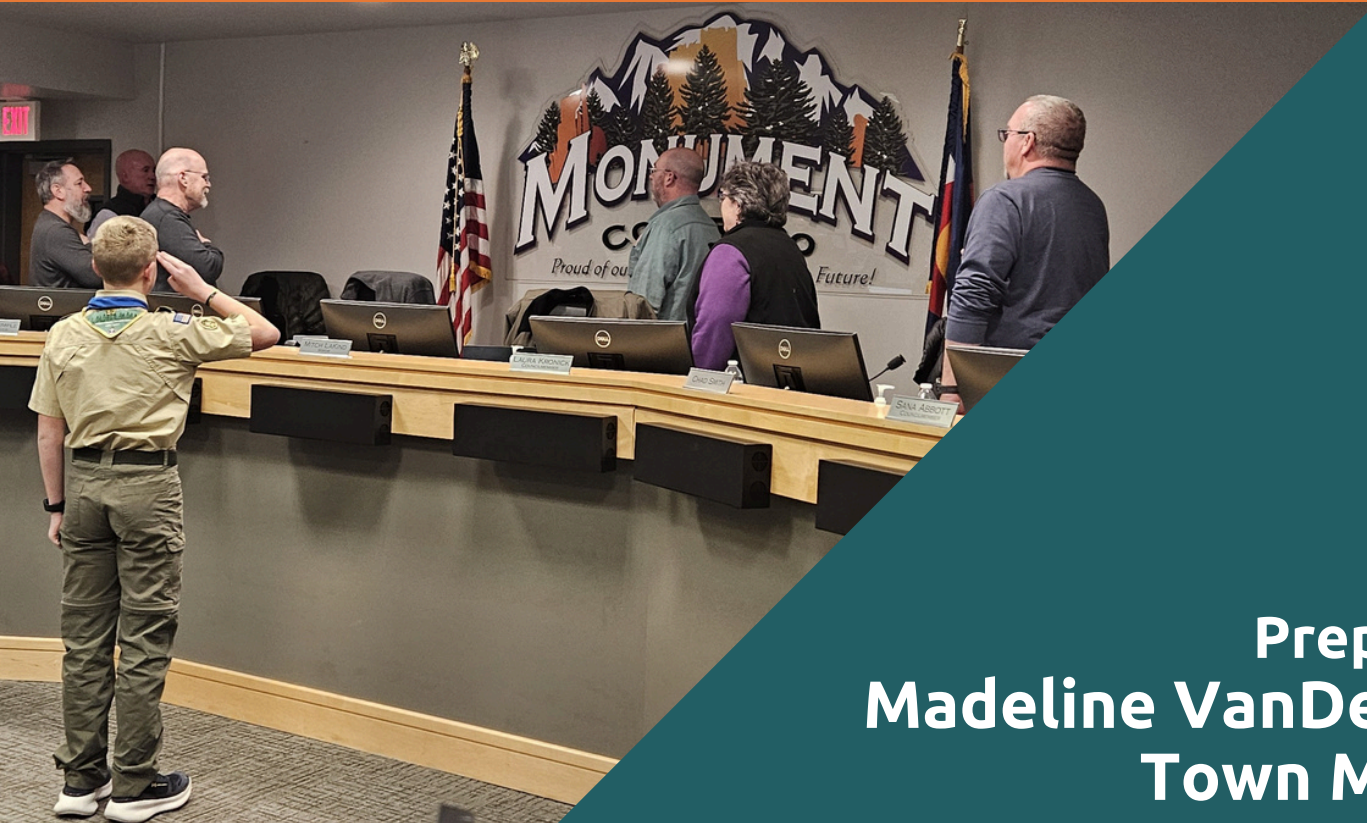
The Investment Policy shall be reviewed periodically by the Town Manager and Town Council and may be amended from time to time by the Town Council.

Monthly Report to Council

February
2026



Local Boy Scout Tyler Ramsey Leads the Council, Staff, and Members of the Public in the Pledge of Allegiance at the February 2nd Council Meeting.



Prepared by:
Madeline VanDenHoek,
Town Manager

Manager's Message

Over the past several weeks, I have had the opportunity to engage in a number of meetings, community events, and strategic discussions that support the Town's priorities.

We held our annual Town Council Retreat, providing dedicated time to align on strategic goals, organizational priorities, and upcoming initiatives for the year.

Several Council members and I attended the ribbon cutting for The Cottage in Downtown Monument, celebrating continued investment and vibrancy in our historic core. I also attended the Monument Fire District's Open House at their new Administration Building, recognizing their investment in public safety infrastructure and service to our community.

Community engagement remains a priority. We held Coffee with a Cop, which continues to be a valuable opportunity for informal conversations between residents and our Police Department.

Economic development efforts included meetings with the Chamber of Commerce and Peak Innovate. We heard a presentation from Front Range Passenger Rail District and participated in site visits with a prospective business interested in locating in Monument. We are also meeting with developers on businesses that may be a good fit for their projects.

We are working with Veregy to complete our energy savings project and work towards the next steps to ensure projected energy savings are achieved and verified. We also participated in a workshop with Loop Water Authority and its member agencies to review project progress and upcoming timelines.

We continue to meet regularly with our lobbyist and partner communities regarding legislative issues impacting the Town. Additionally, staff and I are actively working on funding strategies for Jackson Creek Parkway to ensure the project remains financially feasible and affordable.

Finally, we welcomed new employees in Planning, Police, and Water, and continue focusing on building a strong team to serve our community effectively.



MONUMENT POLICE DEPARTMENT HOSTED COFFEE WITH A COP AT FORGE COFFEE LAB ON FEBRUARY 18TH, FROM 9-11:00 AM.

Administration

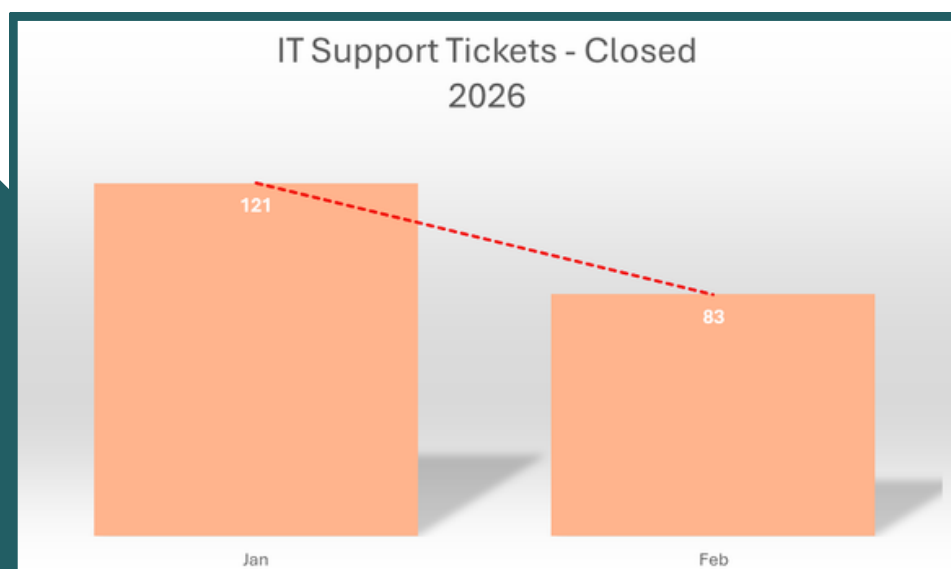
- Attended a CivicClerk webinar to enhance use of approval templates, tasks, messaging, and overall agenda management efficiency.
- Assisted the Planning Department with creation and posting of Planning Commission agendas and packets in CivicClerk.
- Posted the CSLAC agenda and packet.
- Filed RFR3 with DOLA and secured payment approval.
- Provided legal analysis regarding the Town's authority to establish a policy on acceptance of non-tributary (NNT) water rights and related fees.
- Drafted a resolution and policy establishing clear administrative procedures for evaluating groundwater associated with development applications and determining acceptance of groundwater into the Town's municipal water portfolio.
- Drafted a resolution establishing a water fee in-lieu of water rights and amended the fee schedule accordingly.
- Prepared a resolution to accompany the Chamber's lease agreement.
- Created a policy template for organizational use.
- Attended CML's Legislative Preview webinar on February 12 and legislative workshop on February 19.
- Provided feedback on proposed legislation related to CORA and noise abatement.
- Revised the paid parking analysis following feedback from CSLAC and updated enforcement cost estimates from the Police Department.
- Created file plans for the Administration, HR, and Planning departments, with additional departmental file plans forthcoming as inventory efforts progress.
- Centralized file plans in a shared "Resources for All Departments" folder within Laserfiche to allow department-level contributions.
- Migrated all records from Documents on Demand to the new Laserfiche-based public portal and initiated planning for public communication and decommissioning of the former system.
- Continued inventory and destruction efforts in Public Works, including clearing out file cabinets in the upstairs alcove.
- Registered for the Laserfiche Empower conference in April.

Finance & Human Resources

- Led Citizen Service Levels Advisory Committee February meeting.
- Jennifer attended the annual Tri-Lakes Cares Board Retreat.
- Jennifer attended the annual Southern Colorado Women's Chamber of Commerce Foundation Board Retreat.
- Presented final Impact Fee Study to Town Council.
- Jennifer was a guest lecturer for a class at Pikes Peak State College, and presented on Teamwork, Accountability and Ethics.
- Continued work on the Town's ADA transition plan and policies.
- Developed first draft of Supervisors Manual and training workshop.
- On-boarded three new employees.
- Submitted DOLA grant application for Transportation Master Plan.

Information Technologies

- Completed 121 IT support tickets in January, with the IT Director personally completing 55% (a 4% increase over December 2025), and completed 83 tickets month-to-date in February.
- Upgraded four mobile devices.
- Deployed the iTAK app to 31 Police Department mobile phones, providing real-time location awareness, secure communication, and shared mapping tools to enhance incident coordination; the app was successfully tested during management of the recent 4th of July Parade.
- Supported multiple department employee realignments by relocating and reconfiguring technology resources for the Police Department, Finance, Town Clerk, and HR, including the IT Director's move to 259 Beacon Lite Road.
- Onboarded technology and equipment for three employees: a new Senior Planner, a new Police Service Aide, and a returning Police Officer.
- Completed multiple Technology Change Management initiatives, including security updates to all Windows servers and the Nimble storage device.
- Coordinated with the A/V vendor to restore the Council Chambers digital name plates to full working order.
- Conducted a walkthrough of the Planning Department's new office location and coordinated with Planning and Facilities to identify data and wall-mount monitor requirements.
- Initiated onboarding of technology for a new Utility Administration Coordinator and a new Water Technician.
- Began deployment of the Police Department's Compass EthiCards mobile app to provide officers with on-demand ethical decision-making guidance, scenario-based prompts, and policy reminders in the field.
- Provided community support to Silver Key through two 45-minute one-on-one sessions assisting with laptop cleanup and mobile phone troubleshooting.



Planning

- Welcomed Senior Planner Jenna Gorney to the Planning Department. She brings a wealth of urban planning experience and a fresh perspective to our team. Originally from Erie, Pennsylvania, Jenna is a graduate of Edinboro University and most recently served the community of Grand Junction. Her background directly supports Monument’s Strategic Priorities through a proven track record of fiscally responsible growth, robust public engagement, and sustainable development that fosters a resilient community. We are excited to welcome Jenna to the Monument team.

PERMITS ISSUED PER MONTH AND BY CATEGORY													
Category	Mar-25	Apr-25	May-25	Jun-25	Jul-25	Aug-25	Sep-25	Oct-25	Nov-25	Dec-25	Jan-26	Feb-26	Total
Commercial Alteration	0	1	0	0	1	0	0	1	0	0	1	1	5
Commercial New	1	0	1	0	3	1	0	1	0	1	1	0	9
Commercial One Stop	0	1	2	4	3	4	4	6	1	2	1	7	35
Land Use	3	2	0	3	0	3	3	2	1	2	2	0	21
Miscellaneous	0	1	0	0	0	0	1	0	0	0	2	1	5
One Stop	2	2	1	4	4	5	6	2	1	2	2	0	31
Public Works	2	1	2	3	5	6	14	4	9	7	6	2	61
Residential Alteration	2	3	3	6	7	4	7	4	2	3	6	1	48
Residential New	19	14	10	11	22	5	14	14	8	11	14	13	155
subtotal	29	25	19	31	45	28	49	34	22	28	35	25	370

- Issued 25 permits in February to date, with 20 additional applications currently under review.
- Supported water billing operations and customer service functions during the temporary front office closure, while continuing project invoicing, inspection coordination, permit review, and daily office operations.
- The Monument 2040 Visioning Survey closed in January. Results of the survey will be posted on the Monument 2040 webpage by early March. These results will be used as the foundation when developing the draft Monument 2040 Comprehensive Plan. The Planning Department and its consultant team begin sharing the draft document in late spring. Please continue visiting www.townofmonument.org/M2040 for updates.
- The town expects to receive the draft Stormwater Management Plan in late February. A copy of the draft Stormwater Management Plan will be posted on the Monument 2040 webpage for public review and comment and will be presented to Council for consideration and approval in April or early May.
- The Planning Department, Town Engineer, Finance Department and Public Works Department continued to secure funding and construction preparations for the expansion of Jackson Creek Parkway between Higby Road and Fat Tire Road. This has been a team effort, including multiple Town departments, external agencies (Triview, CDOT & PPACG), and project consultants.
- On February 2, Town Council passed a resolution initiating the formal annexation proceedings in consideration of the annexation of Beacon Lite Road, north of Hwy 105, and the Monument Beacon Lite Road Water Tank Site in accordance. During that meeting, Council also scheduled the annexation public hearing to be held on March 16. Notice was and will be posted in the Tri-Lakes Tribune Gazette and was mailed to area property owners in accordance with Town Code and the State Plat Act.
- On February 11, the Planning Commission was informally presented development plans for Lot 1 of the Conexus Development. Lot 1 is located west of the newly reconfigured Old Denver Road. As currently envisioned the 19.1-acre site would include 354 residential units, along with associated amenities such as a clubhouse building, fitness center, and pool. The presented concept development plans were intended to illustrate how the site may be developed within the parameters of the existing zoning and broader Conexus framework. A formal proposal is expected to be presented during a public hearing before the Commission later this Spring.

- On February 17, Town Council approved a resolution supporting a grant application seeking funding for the development of the Town's first Master Transportation Plan (MTP). Monument 2040 will likely recommend the Town develop and adopt an MTP. The MTP will identify necessary transportation projects and community investments aligned with the State, Regional, County and the Town's newly adopted Monument 2040 comprehensive plan and will serve as a resource when seeking external funding. If funded, the project could start as early as fall 2026 and be completed within a 12-month period.
- Publicized one regular and two alternate Planning Commission vacancies. Town of Monument residents interested in serving are encouraged to apply at: <https://www.townofmonument.org/263/Planning-Commission>.
- Our Town's online maps were viewed 854 times in the past 30 days: up from 796 in January! Residents are clicking, exploring, and staying informed.
- We continue to fine-tune our Asset Management System to better support day-to-day operations and keep everything running smoothly behind the scenes.
- Submitted required reports to the HUTF and the U.S. Census Bureau, including updates to the Town boundary and newly constructed roads.
- Refreshed the Downtown Wayfinding Map with new points of interest and layout improvements to help residents and visitors explore with confidence.
- Began integrating COTAK for the Police Department, strengthening tools and improving operational capabilities.
- Updated online cemetery records by adding new entries and refining map data to improve public access and accuracy.
- Provided mapping and supporting documentation for multiple grant applications to strengthen the Town's competitiveness for external funding opportunities.

Police

Chief Regan and members of the Monument Police Department want to congratulate Officer Elmshaeuser on graduating from the Colorado Springs Police Department Academy! Officer Elmshaeuser's journey with Monument PD is one to be proud of. He started with us as an Explorer Cadet, worked his way up to Police Services Aid, and has now earned his place as a Police Officer. And if that wasn't enough, he also received the award for the highest GPA in both academics and skills during his academy class! This milestone has been a long time coming, and we couldn't be more proud! A huge thank you to CSPD for their hospitality and outstanding training. The best is yet to come, Ethan!



Public Works

Facilities:

- Completed fire extinguisher inspections and updated extinguishers in the radium removal room at Well 3/9 and Well 8.
- Reconfigured Town Hall office space to relocate Planning to the front office, including electrical and low-voltage upgrades to support new equipment.
- Reorganized Police Department office layouts to accommodate additional desks and staff.
- Repaired building leaks at Town Hall.

Fleet:

- Improved truck operations by raising dump controls for safer and easier use.
- Repaired exhaust and oil leaks on an older skid loader.
- Installed communication radios in the patch truck and street sweeper.
- Repaired a damaged plow harness, fabricated a new dump body controller, and replaced a plow controller on fleet vehicles.

Parks:

- Replaced a broken frostless hydrant at Lavelett Park through cross-department collaboration with the Water Division and continued service line improvements at the park.
- Trimmed and removed dead or diseased trees throughout park facilities.
- Completed adult and infant CPR training.
- Installed a commemorative plaque at the skate park.
- Conducted burials in the cremation gardens and maintained cemetery grounds.
- Responded to winter weather by sanding main roads and bus routes in early morning hours, cleaning equipment post-storm, maintaining heated restrooms, completing trash runs, and addressing wind damage debris.
- Recycled scrap metal and returned pallets for a \$600 supplier credit to offset irrigation repair costs.



Streets:

- Replaced damaged Wayfinder sign maps on Front Street following wind damage.
- Removed hazardous trees obstructing signage and parking lot access.
- Repaired roadway damage on Past Times and Mitchell Avenue using millings and cold patch.
- Installed protective boulders and new delineators along Synthes Avenue to prevent heavy vehicle damage to roadway edges.
- Replaced damaged delineators and a stop sign on Old Denver Highway.

Water:

- Repaired a damaged hydrant on 3rd Street within 48 hours of impact.
- Relocated a water meter from a pit on Jefferson to a residential basement.
- Oversaw installation of a looped water system on Beacon Lite to maintain pressurization north of Highway 105 during tank removal as part of the main replacement project.
- Cleaned pressure transducer in booster station to improve reliability of SCADA pressure telemetry.
- Removed obsolete components from Well 7 control system and migrated functions to the programmable logic controller.
- Investigated and excavated a reported leak at the Beacon Lite site, identifying it as an abandoned section of main.
- Commissioned Well 7 into the new Beacon Lite configuration, modifying booster station bypass lines to allow excess pressure to flow south into town and to the Red Rocks tank; system tested and functioning as intended.
- Completed PFOS testing on Well 7.
- Responded to a leak at the former Arby's building by isolating the curb stop to prevent further water loss and property damage.
- Assisted Parks Department with frostless replacement, supplied parts and isolated a section of main to facilitate cutting the old line and installing new components.
- Oversaw a wet tap installation in the Synthes area.
- Held a team BBQ to thank departing operator for his service.

