

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 768**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, ESTABLISHING
THE LAND USE OF THE LOT 9A, BLOCK 1, SEKICH BUSINESS PARK
REPLAT A, UPON THE PETITION OF THE OWNER THEREOF TO “LI-
LIGHT INDUSTRIAL WITH A CONDITIONAL USE FOR THE STORAGE AND
HANDLING OF HAZARDOUS MATERIALS, I.E., OIL AND GAS WELL SITE
DOWNHOLE PERFORATING EXPLOSIVES.”**

WHEREAS, a request for a Conditional Use in the LI - Light Industrial zone to allow the storage and handling of hazardous material (downhole perforation explosives) and the construction of oil and gas well perforation guns has been filed by Jeremy McDonald, 14439 Mead Court, Longmont, Colorado 80504, for the following described real property; to wit:

LOT 9A, BLOCK 1, SEKICH BUSINESS PARK REPLAT A, a.k.a. 14459 Mead Court,
Longmont, Colorado 80504

WHEREAS, Section 16-3-120 of the *Mead Municipal Code*, in order to provide flexibility and help diversify uses within a zoning district, provides that specific uses are permitted in certain districts, subject to the granting of a Conditional Use; and

WHEREAS, a public hearing was held on said request on Monday, April 27, 2015; and

WHEREAS, the property is under contract for lease to High Plains, Inc., 650 N. 16th Place Brighton, Colorado 80601; and

WHEREAS, it is the opinion of the Board of Trustees that it is desirable and necessary that the requested Conditional Use be granted for the described real property to allow the storage and handling of hazardous material (downhole perforation explosives) and the construction of oil and gas well perforation guns, in accordance with the application and the conditions described herein:

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that;

Section 1. The Conditional Use for the above described LI - Light Industrial zoned property is hereby approved to allow the storage and handling of hazardous material (downhole perforation explosives) and construction of oil and gas well perforation guns, subject to the following:

- a. All activities conducted on the site shall be in conformance with the Land Use Code for the Town of Mead as though the same were set forth in full.
- b. The Conditional Use is subject to the lease of the property by High Plains, Inc.
- c. A fully executed copy of the lease shall be submitted to the Town Clerk.
- d. Jeremy McDonald, as the owner, and High Plains Inc., as the lessee of the property, shall comply with the Mountain View Fire Protection District requirements for storage of

explosive material, including but not limited to, the installation of a fire suppression sprinkler system and ATFE compliant explosive magazines. Explosives may not be stored on the property until the fire suppression sprinkler system is installed, tested and approved by the Fire Protection District.

- e. Jeremy McDonald, as the owner, and High Plains Inc., as the lessee of the property, shall limit the amount of explosive material that can be stored on the property to a maximum of 50 pounds.
- f. Jeremy McDonald, as the owner, and High Plains Inc., as the lessee of the property, shall assure that the explosive material will only be on delivery vehicles when being received from the supplier, or while being delivered to the job site. There will be no storage of explosive materials on vehicles.
- g. Jeremy McDonald, as the owner, and High Plains Inc., as the lessee of the property, shall assure that a Federal Explosive License/Permit from the ATFE is obtained prior to storing any explosive material on the property.
- h. Jeremy McDonald, as the owner, and High Plains Inc., as the lessee of the property, shall limit the type of explosives stored to shaped charges, detonators, igniters, and power charges as used in the construction of oil and gas well perforation guns.
- i. Jeremy McDonald, as the owner, and High Plains Inc., as the lessee of the property, shall assure that any excess or nonusable explosive materials will be disposed of in accordance with ATF and EPS requirements.
- j. Jeremy McDonald, as the owner, and High Plains Inc., as the lessee of the property, shall provide external signage on the building saying “DANGER - KEEP OUT” and signage on the magazines saying “DANGER - KEEP FIRE AWAY.”
- k. The Conditional Use shall expire 180 days after the discontinuation of the storage and handling of explosives on the property, unless an extension is granted by the Board of Trustees, following a public hearing held for that purpose.

Section 2. The official Zoning District Map entitled “Mead Zoning District Map” as adopted by Section 16-3-30(a)(5), of the *Mead Municipal Code*, and as subsequently amended, shall be amended by the addition of a “note” for the above described property designating the Conditional Use approved. In the event the Conditional Use expires, the “note” shall be deleted from the Mead Zoning District Map without further action by the Board.

Section 3. Ministerial Action. The Mayor and Town Clerk are authorized and directed to complete all the necessary procedures required to cause an appropriate revision of the Performance (Zoning) District Map entitled “Mead Performance Districts” to be prepared and placed in the official records of the Town.

Section 4. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 5. Validity. If any part, section, subsection, sentence, clause or phrase of this

ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid.

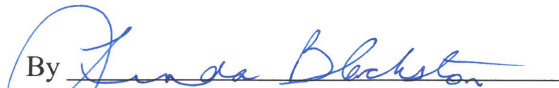
Section 6. Necessity. In the opinion of the Board of Trustees of the Town of Mead, this ordinance is necessary for the immediate preservation and protection of the health, safety, welfare and property of the inhabitants and owners of property in the Town of Mead.


Section 7. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 27th
DAY OF April, 2015.

ATTEST:

TOWN OF MEAD

By 
Linda Blackston, CMC, Town Clerk

By 
Gary R. Shields, Mayor

