

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 861**

**AN ORDINANCE, OF THE TOWN OF MEAD, COLORADO, GRANTING A
CONDITIONAL USE FOR LOT 4, BLOCK 3 SEKICH BUSINESS PARK, 14320
LONGS PEAK COURT, TO ALLOW THE STORAGE AND HANDLING OF
DOWNHOLE PERFORATION EXPLOSIVES IN THE LI - LIGHT
INDUSTRIAL ZONE, UPON THE PETITION OF THE OWNER THEREOF**

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 Missouri Basin Well Services, Inc. (d/b/a MBI Energy Services), 12980 - 35th St., SW, Belfield, ND 58622, on behalf of CS2 Real Estate Holdings, LLC, 8239 Willow Ln., Niwot, CO 80503-7284, the owner of the following described real property, to wit:

Lot 4, Block 3, Sekich Business Park, Mead Colorado; aka, 14320 Longs Peak Court, Longmont, CO 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, the storage and handling of hazardous materials in the LI - Light Industrial zone as a Conditional Use is to be allowed following public hearings by the Planning Commission and Board of Trustees; and

WHEREAS, a public hearing was held on said request by the Planning Commission on Wednesday, February 21, 2018, and by the Board of Trustees, on Monday, March 12, 2018; 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 CS2 Real Estate Holdings, LLC, 8239 Willow Ln., Niwot, CO 80503-7284, to Missouri Basin Well Services, Inc. (d/b/a MBI Energy Services), 12980 - 35th St., SW, Belfield, ND 58622.

- c. CS2 Real Estate Holdings, LLC, as the owner, and MBI Energy Services, 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 and/or maintenance of a fire suppression sprinkler system and ATF compliant explosive magazines.
- d. CS2 Real Estate Holdings, LLC, as the owner, and MBI Energy Services, 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.
- e. CS2 Real Estate Holdings, LLC, as the owner, and MBI Energy Services, as the lessee of the property, shall assure that a Federal Explosive License/Permit from the ATF is obtained prior to storing any explosive material on the property.
- f. CS2 Real Estate Holdings, LLC, as the owner, and MBI Energy Services, 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.
- g. CS2 Real Estate Holdings, LLC, as the owner, and MBI Energy Services, 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."
- h. 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 Zoning District Map entitled "Mead Zoning District Map" 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, make not less than one copy of the adopted Code available for inspection by the public during regular business hours, and record the ordinance in the office of the Weld County Clerk and Recorder.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 12th DAY OF March, 2018.

ATTEST:

TOWN OF MEAD

By Mary E. Strutt
Mary E. Strutt, CMC, Town Clerk

By Gary R. Shields
Gary R. Shields, Mayor

