

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 913**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, ADOPTING
SECTION 7-2-260 OF THE MEAD MUNICIPAL CODE, TO ADDRESS
PERMISSIBLE CONSTRUCTION HOURS**

WHEREAS, the Town of Mead, a municipal corporation of the State of Colorado, is authorized to regulate building and construction activity within the Town; and

WHEREAS, the Town currently regulates permissible construction hours through the issuance of building permits and conditions thereon; and

WHEREAS, the Town Board of Trustees desires to codify permissible construction hours to provide consistency and predictability throughout the Town.

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

Section 1. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees.

Section 2. Sec. 7-2-260 of the Mead Municipal Code is hereby adopted to read as follows:

Sec. 7-2-260. – Permissible Construction Hours.

(a) For purposes of this Section, and unless the context clearly indicates otherwise, certain terms and words used herein shall be interpreted as follows:

Construction activities means any and all activity conducted in connection with the erection, demolition, assembling, altering, installing or equipping of buildings, structures, roads or appurtenances thereto, including land clearing, grading, excavating and filling.

Emergency work means work required to protect persons or property from exposure to imminent danger.

Town holidays mean New Year's Day; Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, the day after Thanksgiving, Christmas Eve and Christmas Day.

(b) Prohibitions on construction activities. No person shall engage in, cause, or permit any person to be engaged in construction activities in any residential, agricultural or commercial district on weekdays between the hours of 7:00 p.m. on day one and 7:00 a.m. of the following day, or on weekends or Town holidays, without prior written approval by the Town Engineer or the Town Engineer's designee.

(c) Exceptions. Construction activities directly connected with the abatement of an emergency are excluded from the provisions of this Section. In addition, construction activities not requiring permits or inspection services by Town staff or Town consultants may be conducted on Saturdays and Sundays between the hours of 7:00 a.m. and 7:00 p.m.

(d) Enforcement. If construction activities occur in violation of this Section, the Town may, at its discretion, take one or more of the following actions:

- (1) Issue a stop work order;
- (2) Withhold any certificate of occupancy or temporary certificate of occupancy for any improvement on the construction site;
- (3) Withhold any required construction or building inspection approvals;
- (4) Reject any necessary acceptance by the Town of construction or improvements;
- (5) Prosecute the violation in accordance with the Town's laws governing nuisances or in accordance with the provisions set forth in Section 1-4-20 of this Code.

Section 3. Effective Date. This Ordinance shall be published and become effective as provided by law.

Section 4. Remaining provisions. Except as specifically amended hereby, all other provisions of the Mead Municipal Code shall continue in full force and effect.

Section 5. Codification Amendments. The codifier of the *Mead Municipal Code* is hereby authorized to make such numerical, technical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the *Mead Municipal Code*.

Section 6. Severability. 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 part, section, subsection, sentence, clause or phrase is declared invalid.

Section 7. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this Ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

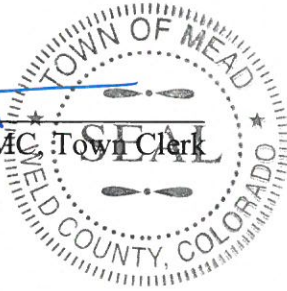
Section 8. Certification. The Town Clerk shall certify to the passage of this Ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 28th DAY OF October, 2019.

ATTEST:

By: _____

Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD:

By: _____

Colleen G. Whitlow, Mayor