

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 952**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO
ADDING ARTICLE XIV TO CHAPTER 16 OF THE *MEAD
MUNICIPAL CODE* AND ADOPTING BY REFERENCE THE TOWN OF MEAD
DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS**

WHEREAS, the Board of Trustees of the Town of Mead (“Board of Trustees”) has the authority pursuant to C.R.S. § 31-15-401 and its general police powers to pass and enforce regulations which may be necessary or expedient for the promotion of the health, safety and welfare of the citizens of the Town of Mead (“Town”); and

WHEREAS, the Town previously adopted the 2018 version of the *Town of Mead Design Standards and Construction Specifications for Public and Private Improvements* by resolution; and

WHEREAS, the Board of Trustees desires to adopt the updated *Town of Mead Design Standards and Construction Specifications for Public and Private Improvements, 2021 Edition* (the “Standards and Specifications”) by reference in accordance with Title 31, Article 16, Part 2 of the Colorado Revised Statutes, and further desires to incorporate the Standards and Specifications into the *Mead Municipal Code* and provide for certain penalties for violations of the same; and

WHEREAS, the Board held a public hearing, with proper notice provided in accordance with Title 31, Article 16, Part 2 of the Colorado Revised Statutes, to consider adoption of the Standards and Specifications on the date, time and place noticed; and

WHEREAS, copies of the Standards and Specifications are available in the Town Clerk’s Office located at Town Hall, 441 Third Street, Mead, CO 80542 for review and inspection by the public during regular business hours; and

WHEREAS, the Board has determined, based on the evidence and testimony presented at the public hearing, that the adoption of the Standards and Specifications will further the public health, safety and welfare.

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

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

Section 2. Amendment of Mead Municipal Code. Chapter 16 of the Mead Municipal Code is hereby amended to add Article XIV, to read in full as follows:

ARTICLE XIV

Design Standards and Construction Specifications for Public and Private Improvements

Sec. 16-14-10. - Title; purpose.

The provisions of the ordinance codified herein shall be known and cited collectively as the “Town of Mead Design Standards and Construction Specifications” or the “Standards and Specifications.” The Standards and Specifications set forth the minimum standards for safety, health, and the general welfare of the Town by regulating the design, construction, choice of materials used for, location, maintenance and use of all Public and Private Improvements. These include, but are not limited to, sanitary sewer systems, water supply systems, private utility service lines for water and sewer, public and private storm drainage systems, public and private streets, landscape areas, open space, parks and recreation facilities, traffic signals and devices, public and private parking lots, and appurtenances thereto.

Sec. 16-14-20. – Definitions.

Town Engineer means the Town Engineer for the Town of Mead or the Town Engineer’s designee.

Sec. 16-14-30. - Code adopted.

(1) The *Town of Mead Design Standards and Construction Specifications for Public and Private Improvements, 2021 Edition*, as amended, with certain appendices as set forth therein, and as published by the Town of Mead, 441 Third Street, Mead, CO 80542 (the “Standards and Specifications”) are hereby adopted by reference with the same force and effect as though fully set forth in the *Mead Municipal Code*.

(2) A copy of the Standards and Specifications is available on the Town’s website and at Town Hall, 441 Third Street, Mead, CO 80542.

Sec. 16-14-40. – Penalties and fines; enforcement.

It is unlawful for any person to violate any provisions of the Standards and Specifications, or any amendment thereof. Any person failing to comply with these Standards and Specifications shall be subject to the fines and penalties as set forth in Section 1-4-20 of this Code. The Town may seek restitution for expenses of enforcement or damage to public property. In addition, for any violation of these Standards and Specifications or any condition which may constitute a threat to the public health, safety and welfare or damage to property, the Town Engineer, on behalf of the Town, may elect to initiate any one (1) or more of the following enforcement alternatives:

(1) Place a hold on current or new permits or applications related to platting, construction, expansion, or operation of a use until the violations are corrected, or until the municipal court or other court of appropriate jurisdiction orders that the hold be lifted;

(2) Revoke permits, or refuse to issue or approve any land development permit, including but not limited to, certificates of occupancy and right-of-way access, street cut, overlot grading, and building permits;

(3) Pursue an abatement action in accordance with the procedure set forth Section 18-1-30 of this Code, except that “Building Official” shall refer to the Town Engineer and “Chapter” shall refer to Article 14 of Chapter 16 for purposes of this Section 16-14-40;

(4) Issue a stop work order to stop any or all construction activities, which stop work order shall be issued by written notice and shall state the conditions under which construction activities are authorized to resume, except that where an emergency exists, no written notice shall be required; or

(5) File a summons and complaint in the Town of Mead Municipal Court.

Sec. 16-14-50. – Town Engineer authority.

The Town Engineer shall have the authority to inspect, or cause to be inspected for compliance with the Standards and Specifications, all Public and Private Improvements, as defined in the Standards and Specifications, to determine compliance or noncompliance with the provisions of the Standards and Specifications.

Section 3. Effective Date. This ordinance shall be published and become effective as provided by law. The amendments to the *Mead Municipal Code* set forth in this Ordinance will be enforced on and after April 15, 2021.

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

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

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 ON FIRST READING, AND NOTICE OF PUBLIC HEARING ORDERED PUBLISHED PURSUANT TO C.R.S. SECTION 31-16-203 AT A REGULAR MEETING OF THE TOWN OF MEAD BOARD OF TRUSTEES THE 8TH DAY OF FEBRUARY, 2021.

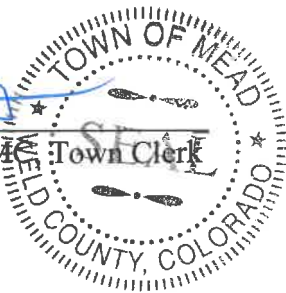
READ, PASSED, AND ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING, AT A REGULAR MEETING OF THE TOWN OF MEAD BOARD OF TRUSTEES, THE 8TH DAY OF MARCH, 2021.

ATTEST:

TOWN OF MEAD:

By: _____

Mary E. Strutt, MM



By: _____

Colleen G. Whitlow, Mayor