

**TOWN OF MEAD, COLORADO  
ORDINANCE NO. 1008**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, AMENDING  
THE MEAD MUNICIPAL CODE TO ADD SECTION 16-1-160 REGARDING  
REASONABLE ACCOMMODATIONS FOR PERSONS WITH  
DISABILITIES**

**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 Federal Fair Housing Act, 42 U.S.C. §3601, et seq., (“Federal Fair Housing Act”) requires that local governments be prepared to make “reasonable accommodations” in order to permit housing for certain protected individuals to be located in residential areas; and

**WHEREAS**, the Board of Trustees recognizes that a request for reasonable accommodations for certain protected individuals should be processed administratively in lieu of requiring the property owner to make such request through the variance process; and

**WHEREAS**, the Community Development staff is recommending certain amendments to Article I of Chapter 16, to provide an administrative review process for reasonable accommodations requests for certain protected individuals pursuant to the Federal Fair Housing Act (“Amendments”); and

**WHEREAS**, the Board of Trustees desires to adopt the Amendments as further set forth herein and finds that the Amendments are in the best interest of the health, safety, and welfare of the public.

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

**Section 1.** Chapter 16 of the Town of Mead Municipal Code is hereby amended to include a new Section 16-1-160 titled “Reasonable Accommodations for Persons with Disabilities” as follows, with portions be added in bold and underlined.

**Sec. 16-1-160. – Reasonable Accommodations for Persons with Disabilities.**

**(a) Generally. The Federal Fair Housing Act, 42 U.S.C. §3601, et seq., requires that local governments be prepared to make “reasonable accommodations” in order to permit housing for certain protected individuals to be located in residential areas. This section sets out the process for approval of a “reasonable accommodation.”**

**(b) Authorization. In order to provide reasonable accommodations without the need for an additional approval process, the Town Manager or designee, in consultation with the Community Development Director, is authorized to approve minor modifications of:**

**1. Building setbacks;**

2. Building height;
3. Spacing of group homes;
4. Building coverage;
5. Occupancy limits; or
6. Other structural change made to an existing building occupied or to be occupied by a person with a disability, including minor interior or exterior modifications.

**(c) Resolution of Accommodation.** The Town Manager or designee may approve a type of or degree of reasonable accommodation that is different from that requested by the applicant if the Town Manager finds that a different form or degree of accommodation would satisfy the requirements of the Federal Fair Housing Act with fewer impacts on the neighborhood in which the parcel proposed for development is located.

**(d) Application.** An application for reasonable accommodations shall include the name and address of the applicant, the address of the parcel proposed for development, the type of housing being provided, and an explanation of the request, including the portions of the Federal Fair Housing Act that require reasonable accommodations to be made.

**(e) Decision.** The decision of the Town Manager shall be accompanied by written findings of fact as to the applicability of the Federal Fair Housing Act, the need for reasonable accommodations, and the authority for any reasonable accommodations approved.

**Section 2. Effective Date.** This Ordinance shall be published and become effective as provided by law.

**Section 3. Remaining provisions.** Except as specifically amended hereby, all other provisions of the Mead Municipal Code shall continue in full force and effect.

**Section 4. Codification Amendments.** The codifier of Mead's 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 5. 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 6. 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 7. Certification.** The Town Clerk shall certify to the passage of this Ordinance and

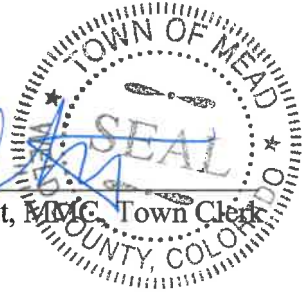
make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS 12<sup>th</sup> DAY OF SEPTEMBER 2022.**

**ATTEST:**

By: \_\_\_\_\_

Mary E. Strutt, MMC, Town Clerk



**TOWN OF MEAD:**

By: \_\_\_\_\_

Colleen G. Whitlow, Mayor