



COUNTY ORDINANCES
AND
REGULATIONS

April 6, 2023

County Ordinances and Regulations

ORDINANCES

Ordinance No. 1	Nude Entertainment Ordinance	Page 000001
Ordinance No. 2	Ordinance to Repeal Ordinance Number Two Establishing Massage Parlor Regulations	Page 000006
Ordinance No. 3	Ordinance for the Prevention of Environmental Blight	Page 000008
Ordinance No. 4	Ordinance Re-Enacting and Re-Adopting the 2018 Edition of The International Fire Code with Amendments Thereto	Page 000012
Ordinance No. 5	Ordinance to Regulate the Location and Operation of Vending on Streets and Sidewalks in Unincorporated Adams County	Page 000022
Ordinance No. 6	Ordinance for the Control of Unleashed and Unclaimed Animals	Page 000032
Ordinance No. 7	Adult Motion Picture Theater Ordinance (Invalidated by judicial decision)	Page N/A
Ordinance No. 8	Ordinance to Regulate Loitering by Minor Children in Unincorporated Adams County	Page 000041
Ordinance No. 9	Adams County Traffic Code	Page 000043
Ordinance No. 10	Ordinance Re-Enacting and Re-Adopting Ordinance No. 10 Regulating Pawnbrokers and Providing Penalties for the Violation Thereof	Page 000048
Ordinance No. 11	Ordinance Concerning the Illicit Discharges to the Public Storm Drainage System or Waters of the State of Colorado within Unincorporated Adams County Also see links below: https://adcogov.org/stormwater https://adcogov.org/development-standards-regulations , Chapter 9 https://www.adcogov.org/sites/default/files/Stormwater-Utility-Policy- Manual_v2022.pdf	Page 000055
Ordinance No. 12	Ordinance Re-Enacting and Re-Adopting the 2018 Edition Of The International Building Codes and the 2017 Edition Of The National Electrical Code with Amendments Thereto	Page 000067

April 6, 2023

Ordinance No. 13	Repealed by Board Of County Commissioners Resolution dated December 16, 2014	N/A
Ordinance No. 14	Repealed in 2018 with the enactment of the 2018 building codes.	N/A
Ordinance No. 15	Ordinance Regulating Marijuana Hospitality Businesses and Providing for Licenses for Such Businesses	Page 000093
Ordinance No. 16	Ordinance Designating Residential Parking Districts	Page 000100

RESOLUTIONS

Animal Control

March 1, 2022	Resolution Approving The Animal Control Code	Page 000108
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Firearms

January 28, 1980	Resolution Prohibiting the Discharge of Firearms in Certain Unincorporated Areas of Adams County, Colorado	Page 000119
February 19, 1980	Resolution Prohibiting the Discharge of Firearms in Certain Unincorporated Areas of Adams County, Colorado	Page 000120
	Adams County Map of Restricted Firearm Discharge Areas	Page 000121
April 15, 2013	Resolution Prohibiting The Open Carrying Of Firearms In County Buildings	Page 000122

Marijuana

December 8, 2010	Resolution Prohibiting the Establishment and Operation of Medical Marijuana Facilities within Adams County	Page 000124
December 16, 2014	Resolution Approving Marijuana Regulation Amendments in Unincorporated Adams County	Page 000127
June 30, 2015	Resolution Approving Local Marijuana Licensing Regulations in Unincorporated Adams County	Page 000129
June 30, 2015	Resolution Extending the Limit of Ten Marijuana Establishments in Unincorporated Adams County	Page 000150

April 6, 2023

March 21, 2020 Resolution Approving Marijuana Licensing Caps and Regulation Amendments in Unincorporated Adams County Page 000151

July 28, 2020 Resolution Approving Amendments to the Marijuana Licensing Regulations in Unincorporated Adams County Page 000153

Parks, Trails, Open Spaces & Cultural Arts

December 6, 2022 Resolution Adopting Updated Rules and Regulations for Adams County Parks, Trails, Open Space and Cultural Arts Areas Effective December 6, 2022 Page 000177

Zoning Regulations

See link below to Adams County Development Standards and Regulations
<https://adcogov.org/development-standards-regulations>

April 6, 2023

2785056

BOOK 3394 PAGE 911

WILLIAM SOKOL
COUNTY RECORDER
ADAMS COUNTY, COLO.

DEC 2 3 50 PM '87

STATE OF COLORADO)
) ss.
COUNTY OF ADAMS)

785056

At a regular meeting of the Board of County
Commissioners for Adams County, Colorado, held at the County
Administration Building in Brighton on Monday,
the 30th day of November, 1987, there were present:

- Leo M. Younger, Commissioner Chairman
- Steven E. Cramer, Commissioner
- Harold E. Kite, Commissioner
- Charlie Siner, County Attorney
- Wilma Thatcher, Clerk of the Board

when the following proceedings, among others were held and done,
to-wit:

ORDINANCE NO. 1

ORDINANCE NO. 1
NUDE ENTERTAINMENT ORDINANCE

WHEREAS, there are a significant number of establishments in the unincorporated portion of Adams County in which persons appear in a state of nudity for the purpose of entertaining the patrons of such establishments; and,

WHEREAS, many of those establishments do not hold liquor licenses and consequently are not subject to the regulations imposed on nude entertainment by the liquor code; and,

WHEREAS, such establishments of this nature adversely impact the residential neighborhoods in which they are located; and,

WHEREAS, these adverse impacts include attraction of transients, parking and traffic problems, increased crime and noise, decreased property values, increased safety hazards to the neighborhood children, and overall deterioration of neighborhood quality; and

WHEREAS, it is the intent of the Board of County Commissioners to serve a substantial government interest by attempting to preserve the quality and vitality of residential neighborhoods in Adams County; and,

WHEREAS, alternative avenues of communication are not unreasonably limited for "speech" of this nature; and,

WHEREAS, the Colorado State Legislature has enacted Section 30-15-401(1)(1)(I), C.R.S.; and,

WHEREAS, Section 30-15-401(1)(1)(I), C.R.S., authorizes the Board of County Commissioners to adopt by ordinance those regulations necessary for the operation of establishments open to the public in which persons appear in a state of nudity for the purpose of entertaining such establishment's patrons.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Adams County, State of Colorado, that operation of establishments open to the public in which persons appear in a state of nudity for the purpose of entertaining the patrons of such establishments shall be subject to the following regulations:

- (1) These regulations shall apply to any establishment open to the public in which persons appear in a state of nudity for the purpose of entertaining the patrons of such establishments, hereinafter referred to as "Nude Entertainment Establishments." However, these regulations shall not apply to any liquor licensed establishments offering nude entertainment as such establishments are already subject to stringent regulation under the Colorado Liquor Code.

- (2) A person appears in a "state of nudity" when such person is unclothed or in such attire, costume or clothing as to expose to view any portion of the female breast below the top of the areola or any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals.
- (3) No one under 21 years of age shall be admitted to any Nude Entertainment Establishment. This minimum age limitation also applies to any employees, agents, servants or independent contractors working on the premises during hours when nude entertainment is being presented.
- (4) Nude entertainment shall only be available at Nude Entertainment Establishments from the hours of 4:00 p.m. to 12:00 midnight, Monday through Saturday of each week.
- (5) No Nude Entertainment Establishment shall be operated or maintained within 500 feet of any residentially zoned or used property, measured from the closest property line of such residential property to the property line of the Nude Entertainment Establishment.
- (6) No Nude Entertainment Establishment shall be operated or maintained within 500 feet of any school or church property, measured from the closest property line of such school or church property to the property line of the Nude Entertainment Establishment.
- (7) Any Nude Entertainment Establishment operating at the effective date of this ordinance in violation of parts (5) or (6) above shall be allowed to continue operating for an amortization period of six (6) months. Six months after this ordinance becomes effective all Nude Entertainment Establishments must comply with parts (5) and (6) above or be subject to the penalty provisions set forth herein.
- (8) Except for the amortization period set forth in part (7) above, each day of operation in violation of any provision of this ordinance shall constitute a separate offense.
- (9) Any person who violates any provision of these regulations commits a class 2 petty offense and upon conviction thereof shall be punishable by a fine of \$300 for each separate violation.
- (10) Any arresting law enforcement officer shall follow the penalty assessment procedure provided in Section 16-2-201, C.R.S., for any violation of this ordinance.

- (11) Any Nude Entertainment Establishment which engages in repeated or continuing violations of these regulations shall constitute a public nuisance. For purposes of these regulations "repeated violations" shall mean three or more violations of any provision set out herein within a one (1) year period dating from the time of any violation, and a "continuing violation" shall mean a violation of any provision set out herein lasting for three or more consecutive days.
- (12) The District Attorney, acting pursuant to Section 16-13-302, C.R.S., may bring an action in the District Court for Adams County for an injunction against the operation of such establishments in a manner which violates any of the provisions set out herein.
- (13) This ordinance shall become effective January 5, 1988.
- (14) If any provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not invalidate this ordinance in its entirety, and to this end the provisions of this ordinance are declared to be severable.
- (15) Any nude establishment operating before the effective date of this ordinance shall comply with every provision of this ordinance on the effective date except as set forth in Number 7 above.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ADAMS,
STATE OF COLORADO

Leo M. Younger
LEO M. YOUNGER, Chairman

11-30-87
DATE

CERTIFICATE OF ATTESTATION

STATE OF COLORADO)
) ss.
COUNTY OF ADAMS)

I, William Sokol, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

This Ordinance was published in full in a newspaper of general circulation in Adams County at least ten (10) days prior to its adoption; to wit, Thornton/Northglenn Sentinel, on November 12, 1987. Said Ordinance was introduced and read in full at a regular meeting of the Board of County Commissioners of the County of Adams, State of Colorado, on November 23, 1987. Said introduction and reading was held prior to the adoption of said Ordinance.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, this 30th day of Nov., 1987.



WILLIAM SOKOL
County Clerk and ex-officio Clerk of the Board of County Commissioners

by Heima Thatcher Deputy

ORDINANCE NO. 2

**ORDINANCE TO REPEAL ORDINANCE NUMBER TWO ESTABLISHING
MASSAGE PARLOR REGULATIONS**

Resolution 2015-401

WHEREAS, Colorado Revised Statutes § 12-48.5-105 gave local governments the authority to license massage parlors; and,


WHEREAS, on May 22, 1989, the Adams County Board of County Commissioners approved the enactment of Ordinance Number Two Establishing Massage Parlor Regulations; and,

WHEREAS, effective July 1, 2015, Colorado Revised Statutes § 24-34-104(46) terminated local government authority to license massage parlors.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners, County of Adams, State of Colorado, that Ordinance Number Two Establishing Massage Parlor Regulations be repealed.

BE IT FURTHER ORDAINED by the Board of County Commissioners, County of Adams, State of Colorado, this Ordinance shall become effective on October 13, 2015.

Adopted this 8th day of September, 2015.


Charles "Chaz" Tedesco, Chairman
Board of County Commissioners
Adams County, Colorado

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Tedesco _____ Aye
O'Dorisio _____ Aye
Henry _____ Aye
Hansen _____ Aye
Pawlowski _____ Aye
Commissioners

CERTIFICATE OF ATTESTATION

STATE OF COLORADO)
County of Adams)

I, Stan Martin, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

The foregoing text is authentic text of Adams County Ordinance No. 2. The first reading of said Ordinance took place on August 11, 2015, at a regular Board of County Commissioners meeting. It was published in full in a newspaper of general circulation at least ten days before its adoption; to wit, in the Denver Post on August 20, 2015. The Ordinance was adopted on second reading at a regular Board of County Commissioners meeting on September 8, 2015, and published in the Denver Post for a second time on September 14, 2015. The Ordinance shall become effective on October 13, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 8th day of September, A.D. 2015.

County Clerk and ex-officio Clerk of the Board of County Commissioners

Stan Martin:



By:



Deputy

ORDINANCE NUMBER THREE FOR THE PREVENTION OF ENVIRONMENTAL BLIGHT

WHEREAS, the Board of County Commissioners of the County of Adams, State of Colorado, is authorized pursuant to § 30-15-401, C.R.S., et seq., to provide for and compel the removal of rubbish (including trash, junk and garbage, weeds and brush), including removal performed by the County; and,

WHEREAS, it is hereby found and declared that certain areas of unincorporated Adams County have or may become blighted, with the consequent impairment of taxable values upon which, in part, county revenues depend, that such blighted areas are detrimental to the health, safety, morals and general welfare of the citizens and to the economic welfare of the county, that in order to improve and maintain the general character of unincorporated Adams County, it is necessary to rehabilitate such blighted areas, that the purposes of this ordinance are to rehabilitate such areas by eliminating blight and blighting factors within such areas for the protection of the health, safety, morals and general welfare of the municipality, to preserve existing values of other properties within or adjacent to such areas, and to preserve the taxable value of the property within such areas, and the necessity in the public interest for provisions herein set forth is hereby declared as a matter of legislative determination to be a public purpose and a public use; and,

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of the County of Adams, State of Colorado, that Ordinance Number Three for the Prevention of Environmental Blight, enacted by the Board on August 9, 2006, is hereby amended and re-enacted effective March 29, 2010.

BE IT FURTHER ORDAINED by the Board of County Commissioners of the County of Adams, State of Colorado, that it is necessary for the protection of the public health and safety that Ordinance Number Three (Amended) become immediately effective upon adoption because environmental blight constitutes a continuing nuisance and threat to the citizens of Adams County.

AND, BE IT FURTHER ORDAINED by the Board of County Commissioners of the County of Adams, State of Colorado, that the "Prevention of Environmental Blight" Ordinance Number Three (Amended) shall be in full force and effect in all of the unincorporated portions of Adams County and shall provide for and compel the removal of weeds and brush from residential lots of 2.5 acres or less, and from the alleys behind and from the sidewalk areas in front of such property. Ordinance No. 3 shall provide for and compel the removal of rubbish (including junk, trash and garbage) from all lots and tracts of land except industrial lots or tracts of land of 10 or more acres currently in industrial use, and agricultural lots or tracts of land currently in agricultural use as the term agricultural land is defined in § 39-1-102(1.6), C.R.S., and from the alleys behind and from the sidewalk areas in front of such property to-wit:

I. CAUSES OF BLIGHT OR BLIGHTING FACTORS

A It is hereby determined that the following uses and activities are causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted and undesirable neighborhoods. It shall be unlawful for any person to maintain or permit to be maintained any of the following causes of blight or blighting factors upon any property in unincorporated Adams County owned, leased, rented or occupied by such person:

(1) The outside storage or accumulation of rubbish, junk, trash, garbage, weeds, brush or refuse of any kind. Domestic refuse stored in a closed container in such a manner as not to create a nuisance for a period not to exceed thirty (30) days shall be exempt from this section. The term "junk" shall include, but shall not be limited to, parts of machinery or motor vehicles, inoperable vehicles whether on private property or County public right-of-way, unused stoves or appliances stored in the open, boxes, grass clippings, remnants of wood, metal, plastic, dilapidated signs, fences or retaining walls, or any other material or other cast-off material of any kind, whether or not the same could be put to any reasonable use.

(2) The causes of blight or blighting factors set forth in subsection (1), above are not unlawful if such uses of property are incidental to and necessary for the conducting of any business or occupation lawfully being carried on upon the property in question, and such uses are in accordance with the zoning regulations of Adams County for the zone district.

II. ENFORCEMENT AND PENALTY

A The Director of the Adams County Public Works Department or his designated agents including, but not limited to, zoning inspectors, and environmental compliance agents may perform inspections for the enforcement of this Ordinance and may periodically inspect unincorporated Adams County for causes of blight or blighting factors.

B Failure by either the owner or the occupant to remove the causes of blight or blighting factors shall constitute a violation of this Ordinance and the blight or blighting factor may be removed and disposed of pursuant to the procedures as outlined in Section III of this Ordinance EXCEPT that nothing herein shall preclude the separate prosecution of zoning or building code violations pursuant to § 30-28-124, C.R.S., et. seq., or § 30-28-209, C.R.S., et. seq., or both, and the imposition of imprisonment or fines, or both as authorized by § 30-28-124, et. seq. and § 30-28-209, et. seq.

III. REMOVAL OF BLIGHT

In addition to any other remedies available, where the Director of Public Works or his designated agent(s) believe that a cause of blight or a blighting factor subject to this Ordinance exists at a property, the blight or blighting factor may be removed and disposed of pursuant to the following procedures:

A. Where the cause(s) of the blight or blighting factor(s) are rubbish, trash, junk, garbage, weeds or brush, notice shall be sent via first-class mail or by personal delivery to the owner of record as shown in the records of the county clerk and recorder, and a copy of the same notice shall be sent to the "occupant" of the property if the property address and the owners address differ. Said notice(s) shall advise the recipient of the following: 1) the nature of the cause(s) of blight or blighting factor(s), 2) a demand that the cause(s) of blight or blighting factor(s) be removed within 14 days of the date of the notice, 3) that the recipient has a right to request a hearing in the Adams County Court by signing and returning a form accompanying the notice within 14 days of the date of the notice to the attention of the agent who sent the notice at the Adams County Public Works Department, and 4) that if the cause(s) of blight or blighting factor(s) are not removed and if no hearing is requested by returning the accompanying form within 14 days, that the Director of Public Works or his agents may apply without further notice for a warrant for the removal and disposal of the cause(s) of the blight or blighting factor(s) from the Adams County Court and that the costs of the removal and destruction shall become a lien

against the lot or lots from which the cause(s) of the blight or blighting factor(s) have been removed.

B. In the event that the recipient(s) of the notice referred to in paragraph A above fails to remove the cause(s) of blight or blighting factor(s) within 14 days or to sign and return the request for hearing form within such time, then the Director of Public Works may apply for an administrative entry and seizure warrant by affidavit from the Adams County Court. To apply for an administrative entry and seizure warrant the Director of Public Works or his agents shall present to the County Court: 1) a copy of Ordinance Number Three, 2) a sworn or affirmed affidavit stating the factual basis for such warrant, 3) evidence that the property owner has received notice of the violation and has failed to remove the rubbish or request a hearing within the 14 day period, 4) a general description of the location of the property which is the subject of the warrant, 5) a general list of any rubbish to be removed from such property, and 6) the proposed disposal or temporary impoundment of such rubbish. Within ten days following the date of the issuance of the administrative warrant, such warrant may be executed in accordance with the directions of the issuing court, a copy of such issued warrant shall be provided or mailed to the property owner, and proof of the execution of such warrant, including a written inventory of any property impounded, shall be submitted to the issuing Court.

C. In the event that a recipient of the notice referred to in paragraph 1 above timely submits the request for hearing form to the Public Works Department, then the Director of Public Works may request a hearing date from the Adams County Court, and shall as soon as practicable provide notice of the hearing by first-class mail to the person requesting the hearing. If, following the hearing, the Court issues a warrant to enter and remove the causes of the blight or blighting factor(s), then within ten days following the date of the issuance of the warrant, such warrant may be executed in accordance with the directions of the issuing Court, a copy of such issued warrant shall be provided or mailed to the property owner, and proof of the execution of such warrant, including a written inventory of any property impounded, shall be submitted to the issuing Court.

IV. COLLECTION OF COSTS

A. In the event that the County performs the removal or elimination of weeds and brush, upon notice to and failure of the property owner to remove such blight or blighting factors, the whole cost thereof, including ten percent for inspection and other incidental costs in connection therewith, shall become an assessment upon the lots and tracts from which such causes of blight or blighting factors have been removed. In the event that the County performs the removal or elimination of rubbish (including junk, trash and garbage), upon notice to and failure of the property owner to remove such blight or blighting factors, the whole cost thereof, including five percent for inspection and other incidental costs in connection therewith, shall become an assessment upon the lots and tracts from which such causes of blight or blighting factors have been removed. The county shall keep a written record of all such costs which shall be part of the file kept by the County.

B. Any assessment pursuant to this Ordinance shall be a lien against such lot(s) or tract(s) of land until paid and shall have priority over all other liens except general taxes and prior special assessments.

C. In case such assessment is not paid within 60 days after notice is mailed to the property owner, it may be certified by the clerk to the County Treasurer, who shall collect the assessment, together with a ten percent penalty for the cost of collection, in the same manner as other taxes are collected. The laws of this state for assessment and collection of general taxes,

including the laws for the sale and redemption of property for taxes, shall apply to the collections of assessments pursuant to this Ordinance.

D. There shall be a graduated fine schedule for repeat offenses by the same individual, as follows:

Second offense: In the event that the County performs the removal or elimination of weeds and brush, or rubbish (including junk, trash and garbage), upon notice to and failure of the property owner to remove such blight or blighting factors, the whole cost thereof, including ten percent (five percent for rubbish, including junk, trash and garbage) for inspection and other incidental costs in connection therewith multiplied by two shall become an assessment upon the lots and tracts from which such causes of blight or blighting factors have been removed.

Third and subsequent offenses: In the event that the County performs the removal or elimination of weeds and brush, or rubbish (including junk, trash and garbage), upon notice to and failure of the property owner to remove such blight or blighting factors, the whole cost thereof, including ten percent (five percent for rubbish, including junk, trash and garbage) for inspection and other incidental costs in connection therewith, multiplied by three, shall become an assessment upon the lots and tracts from which such causes of blight or blighting factors have been removed.

V. EFFECTIVE DATE

This Ordinance shall become effective on March 29, 2010.

VI. SEVERABILITY

If any paragraph or subparagraph of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not invalidate the remainder of this Ordinance and, to this end, the provisions of this Ordinance are declared to be severable.

ORDINANCE NO. 4

AN ORDINANCE RE-ENACTING AND RE-ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE WITH AMENDMENTS THERETO

Resolution 2022-089

WHEREAS, in 2018 the Board of County Commissioners adopted the International Fire Code, 2018 Edition, as Ordinance No. 4; and,

WHEREAS, pursuant to § 30-15-401.5(2), C.R.S., the Community and Economic Development Department, the Adams County Fire Code Adoption and Revision Commission, and the Adams County Board of Fire Code Appeals has recommended that the Board of County Commissioners re-enact and re-adopt the 2018 edition of the International Fire Code, to incorporate certain amendments required by the revisions SB 21-271 made to §30-15-402, C.R.S.; and,

WHEREAS, the Board of County Commissioners is authorized under § 30-15-401.5, et seq., C.R.S., to adopt an ordinance for the provision of fire safety standards; and,

WHEREAS, pursuant to §30-15-401.5(1), C.R.S., the 2018 edition of the International Fire Code is consistent with the uniform fire code, as promulgated by the International Conference of Building Officials.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners, County of Adams, State of Colorado, that Ordinance No. 4, the 2018 edition of the International Fire Code, with certain amendments thereto, the full text of which is available at the Adams County Building Safety Division, and which is fully incorporated herein by this reference, be re-enacted and re-adopted as outlined in this Ordinance.

BE IT FURTHER ORDAINED by the Board of County Commissioners, County of Adams, State of Colorado, that:

Section 1. ADOPTION

The Board of County Commissioners of Adams County hereby adopts, by reference, the International Fire Code, 2018 edition, with amendments as described in Section 5, and including the following appendices: Appendix B, Fire-Flow Requirements for Buildings; Appendix C, Fire Hydrant Locations and Distribution; Appendix D, Fire Apparatus Access Roads; Appendix E, Hazard Categories; Appendix F, Hazard Ranking; and Appendix N, Indoor Trade Shows and Exhibitions.

Section 2. CODE DESCRIBED

The International Fire Code, 2018 edition, is published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478

Section 3. APPLICABILITY

Pursuant to § 30-15-401.5, C.R.S., this Ordinance shall apply to all of the unincorporated areas of Adams County and shall not be embraced within the limits of any incorporated city or town, unless such city or town elects to have such provisions apply. The provisions of this Ordinance shall not overrule or otherwise restrict the authority of the Board of

County Commissioners or any other applicable official of Adams County in authorizing land uses or otherwise acting under the authority of any other adopted codes or regulations of Adams County or enforcing the provisions thereof.

Section 4. BOARD OF APPEALS

The "Board of Appeals," as described in Section 109 of the International Fire Code, 2018 edition, shall be the Adams County Board of Fire Code Appeals as appointed by the Board of County Commissioners. Whenever the fire code official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the intent of the Code has been incorrectly interpreted, the provisions of the Code do not fully apply, or an equivalent method of protection or safety is proposed, the applicant may appeal the decision of the fire code official to the Adams County Board of Fire Code Appeals within thirty days from the date the decision being appealed was made.

Section 5. AMENDMENTS

Any portion not listed as amended is adopted as written

(a) CHAPTER 1 SCOPE AND ADMINISTRATION

101.1 Title. These regulations shall be known as the Fire Code of Adams County ~~[NAME OF JURISDICTION]~~, hereinafter referred to as "this code."

102.5 Application of residential code. Where structures are designed and constructed in accordance with the International Residential Code, the provisions of this code shall apply as follows:

~~1. Construction and design provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. Where interior or exterior systems or devices are installed, construction permits required by Section 105.7 shall apply.~~

1. Construction and design provisions: Provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access, and water supplies. Where this code addresses fire sprinklers in residential occupancies, it refers to residential occupancies constructed pursuant to both the International Building Code and the International Residential Code. Construction permits for systems and equipment utilized in the interior or exterior of the structure shall also apply.

EXCEPTION: Dwelling unit fire sprinkler systems, or portions thereof, installed in accordance with Section P2904 of the 2018 International Residential Code do not require a permit. Dwelling unit fire sprinkler systems, or portions thereof, installed in accordance with NFPA 13D require a permit pursuant to Section 105.7.1 of this code.

2. Administrative, operational and maintenance provisions of this code shall apply.

References in this code to Group R-3 or U occupancies or one and two family dwellings shall apply to structures under the scope of the International Residential Code where appropriate.

105.4.1 Submittals. *Construction documents* and supporting data shall be submitted in ~~two~~ one or more sets with each application for a permit and in such form and detail as required by the *fire code*

official. The construction documents shall be prepared by a registered design professional ~~where required by the statutes of the jurisdiction in which the project is to be constructed.~~ where documents are submitted in support of an application for a construction permit required by Sections 105.7.1, 105.7.4, 105.7.7, 105.7.8, 105.7.11, 105.7.13, 105.7.20, 105.7.24, and 105.7.26. When requested, qualification statements shall be submitted to the fire code official for the registered design professional to demonstrate compliance with the professional qualifications defined in Section 202.

Exception: The *fire code official* is authorized to waive the submission of *construction documents* and supporting data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

105.6.47 Temporary membrane structures and tents. An operational permit is required to operate an air-supported temporary membrane structure, a temporary *special event structure* or a tent having an area in excess of 400 square feet (37 m²).

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides, which comply with all of the following:
 - 2.1. Individual tents having a maximum size of 700 square feet (65 m²).
 - 2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m²) total.
 - 2.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.
3. Temporary special event structures having a maximum size of 700 square feet (65 m²).

105.7.7 Fire alarm and detection systems and related equipment. A construction permit is required for installation of or modification to fire alarm and detection systems and related equipment, including emergency alarm systems (Section 908) and smoke control systems (Section 909). Maintenance performed in accordance with this code is not considered to be a modification and does not require a construction permit.

105.7.25 Temporary membrane structures and tents. A construction permit is required to erect an air-supported temporary membrane structure, a temporary stage canopy or a tent having an area in excess of 400 square feet (37 m²).

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Funeral tents and curtains, or extensions attached thereto, when used for funeral services.
3. Tents and awnings open on all sides, which comply with all of the following:
 - 3.1. Individual tents shall have a maximum size of 700 square feet (65 m²).

3.2. The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65m²) total.

3.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be maintained.

4. Temporary special event structures having a maximum size of 700 square feet (65 m²).

105.7.26 Explosion control. A construction permit is required to install or modify explosion control provided as required in Section 911.

110.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be subject to ~~[SPECIFY OFFENSE]~~ the penalties authorized pursuant to § 30-15-402, C.R.S., and upon conviction thereof, shall be punished by a fine of not more than one thousand dollars (\$1,000). ~~[NUMBER OF DAYS.]~~ Each day that a violation continues after due notice has been served shall be deemed a separate offense.

112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of up to ~~not less than [AMOUNT]~~ one thousand dollars (\$1,000). ~~or more than [AMOUNT].~~

(b) **CHAPTER 2 DEFINITIONS**

~~REGISTERED DESIGN PROFESSIONAL. An architect or engineer, registered or licensed to practice professional architecture or engineering, as defined by the statutory requirements of the professional registration laws of the state in which the project is to be constructed.~~

REGISTERED DESIGN PROFESSIONAL. An engineer, licensed to practice professional engineering, as defined by the statutory requirements of the professional licensure laws of the State of Colorado, who shall be responsible and accountable to possess the required knowledge and skills to perform design, analysis, and verification in accordance with provisions of this code and applicable professional standards of practice.

(c) **CHAPTER 3 GENERAL REQUIREMENTS**

311.5 Placards. Any vacant or abandoned buildings or structure determined to be unsafe pursuant to Section 110 of this code relating to structural or interior hazards shall ~~shall~~ may be marked as specified in Sections 311.5.1 through 311.5.5.

(d) **CHAPTER 5 FIRE SERVICE FEATURES**

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than ~~20 feet (6096 mm)~~ twenty-four feet (7315 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

Exception: Fire apparatus access roads serving rural residential development shall be allowed to be not less than twenty (20) feet in unobstructed width when approved by the fire code official.

503.2.2 Authority. The fire code official shall have the authority to require ~~or permit modifications~~

~~to the required access~~ an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations. The fire code official shall have the authority to reduce minimum access widths and vertical clearances based on the fire department's apparatus, or where necessary to meet the public safety objectives of the jurisdiction.

504.3 Stairway access to roof. New buildings four or more stories above grade plane, except those with a roof slope greater than four units vertical in 12 units horizontal (33.3- percent slope), shall be provided with a stairway to the roof. When an exit enclosure is required by Section 1022, the stairway to the roof shall be located within an exit enclosure. Stairway access to the roof shall be in accordance with Section 1011.12 Stairway access to the roof shall be in accordance with Section 1011.12. Such stairway shall be marked at street and floor levels with a sign indicating that the stairway continues to the roof. Where roofs are used for roof gardens or for other purposes, stairways shall be provided as required for such occupancy classification.

511 Recreational vehicle, mobile home, and manufactured housing parks, sales lots, and storage lots. Recreational vehicle, mobile home, and manufactured housing parks, sales lots, and storage lots shall provide and maintain access roads and fire hydrants in accordance with Section 503 and 507.

EXCEPTION: Recreational vehicle parks located in remote areas shall be provided with protection and access roadways as required by the fire code official.

(e) **CHAPTER 6 BUILDING SERVICES AND SYSTEMS**

603.10 Carbon monoxide alarm and detector maintenance, inspection, and testing. The building owner shall be responsible to maintain all carbon monoxide alarms and detectors in an operable condition at all times. Maintenance, inspection, and testing shall be performed in accordance with manufacturer's instructions or nationally recognized standards. A written record shall be maintained and shall be made available to the fire code official upon request.

(f) **CHAPTER 9 FIRE PROTECTION AND LIFE SAFETY**

903.2.5.1 General. An automatic sprinkler system shall be installed in provided throughout all buildings containing Group H occupancies.

903.2.6 Group I. *An automatic sprinkler system shall be provided throughout buildings with a Group I fire area.*

Exceptions:

1. *An automatic sprinkler system* installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1, Condition 1 facilities.
2. *An automatic sprinkler system* is not required where Group I-4 day care facilities are at the *level of exit discharge* and where every room where care is provided has not fewer than one exterior *exit* door.
3. In buildings where Group I-4 day care is provided on levels other than the *level of exit discharge*, an *automatic sprinkler system* in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided, all floors between the level of care and the *level of exit discharge* and all floors below the *level of exit discharge* other than areas classified as an open parking garage.

4. An automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be provided throughout all Group I-1 facilities that meet the federal Fair Housing Act definition of senior housing or housing for older persons.

903.2.8 Group R. An *automatic sprinkler system* installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R *fire area*.

Exceptions:

1. An automatic residential fire sprinkler system shall not be required for a Group R-3 fire area when in compliance with all of the following conditions:

1.2 The Group R-3 *fire area* does not exceed 3,600 square feet;

1.3 The Group R-3 dwelling is within 1,000 (304.8 m) feet of a hydrant having the required fire flow; and

1.4 The Group R-3 dwelling is on an approved *fire apparatus access road*.

2. An automatic residential fire sprinkler system shall not be required where *additions or alterations* are made to existing one- and two-family dwellings or *townhouses* that do not have an automatic residential fire sprinkler system installed in accordance with sections R313.1 and R313.2 and constructed under the International Residential Code.

3. An automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be provided throughout all Group R-2 occupancies that meet the Federal Fair Housing Act definition of senior housing or housing for older persons.

903.2.11.1.3 Basements. Where any portion of a basement is located more than 75 feet (22 860 mm) from openings required by Section 903.2.11.1, ~~or where walls, partitions or other obstructions are installed that restrict the application of water from hose streams,~~ the basement shall be equipped throughout with an approved automatic sprinkler system.

(g) **CHAPTER 12 ENERGY SYSTEMS**

1204.4 Ground-mounted photovoltaic panel systems. Ground-mounted photovoltaic panel systems shall comply with Section 1204.1 and this section. Setback requirements shall not apply to ground-mounted, free-standing photovoltaic arrays. A clear, brush-free area of 10 feet (3048 mm) shall be required and maintained around the array equipment for ground-mounted photovoltaic arrays. A fire break or other facility perimeter design acceptable to the fire code official shall be required to reduce or eliminate the interface risk from wildfire.

(h) **CHAPTER 31 TENTS, TEMPORARY SPECIAL EVENT STRUCTURES, AND OTHER MEMBRANE STRUCTURES**

3105.2 Approval. Temporary special event structures in excess of 400 square feet (37 m²) 700 square feet (65 m²) shall not be erected, operated or maintained for any purpose without first obtaining approval and a permit from the fire code official, ~~and the building official.~~

3105.5 Required documents. The following documents shall be submitted to the fire code official

~~and building official~~ for review before a permit is approved:

(i) **CHAPTER 56 EXPLOSIVES AND FIREWORKS**

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

Exceptions:

1. Storage and handling of fireworks as allowed in Section 5604.
2. Manufacture, assembly and testing of fireworks as allowed in Section 5605.
3. The use of fireworks for fireworks displays as allowed in Section 5608.
4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations, provided that such fireworks and facilities comply with NFPA 1124, CPSC 16 CFR Parts 1500 and 1507, and DOTn 49 CFR Parts 100–185, as applicable for consumer fireworks.
5. The sale or use of permissible fireworks, as defined under section 24-33.5-2001(11), as amended, of the Colorado Revised Statutes.
6. The sale of permissible fireworks from temporary stands in accordance with Adams County Development Standards and Regulations, Chapter 4, section 4-05-02-05, as amended.

(j) **CHAPTER 57 FLAMMABLE AND COMBUSTIBLE LIQUIDS**

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is ~~prohibited~~ allowed when such storage complies with Sections 5704.2.9.6.1 through 5704.2.9.6.3, within the limits established by law as the limits of districts in which such storage is prohibited [JURISDICTION TO SPECIFY].

5707.1 General. On-demand mobile fueling operations that dispense Class I, II and III liquids into the fuel tanks of motor vehicles shall comply with Sections 5707.1 through 5707.6.3.

Exception: Fueling from an *approved* portable container in cases of an emergency or for personal use; and fueling and dispensing of flammable and combustible liquids on farms and construction sites as allowed by Section 5706.2.

(k) **APPENDIX D FIRE APPARATUS ACCESS ROADS**

Within Table D103.4 Requirements for Dead-End Fire Apparatus Access Roads, the minimum width of a dead-end fire apparatus access road that is between 501-750 feet in length is reduced to 20 feet from 26 feet.

**TABLE D103.4
REQUIREMENTS FOR DEAD-END
FIRE APPARATUS ACCESS ROADS**

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
501-750	26 20	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
Over 750		Special approval required

For SI: 1 foot = 304.8 mm.

Section 6. VIOLATION

Any person who violates the provisions of this Ordinance shall be subject to the penalties authorized pursuant to § 30-15-402, C.R.S. and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars for each separate violation.

Section 7. REPEAL OF CONFLICTING BUILDING CODES

All conflicting building codes previously adopted by the Adams County Board of County Commissioners are hereby repealed in their entirety and re-enacted in accordance with the provisions of this Ordinance.

Section 8. SEVERABILITY

The Board of County Commissioners hereby declares that should any article, section, paragraph, sentence, clause, or phrase of this Ordinance be held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of County Commissioners hereby declares that it would have passed this Ordinance, and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid or unconstitutional.

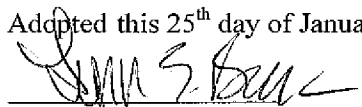
Section 9. SAFETY CLAUSE

The Board of County Commissioners hereby finds, determines, and declares that this Ordinance is necessary for the preservation of the public health, safety, and welfare.

Section 10. DATE OF EFFECT

The Board of County Commissioners of Adams County, Colorado, hereby determines that this Ordinance shall become effective on February 25, 2022.

Adopted this 25th day of January, 2022.



Lynn Baca, Chair
Board of County Commissioners
Adams County, Colorado

7

Upon motion duly made and seconded the foregoing Ordinance was adopted by the following vote:

Henry _____ Aye
Tedesco _____ Aye
Pinter _____ Aye
O'Dorisio _____ Aye
Baca _____ Aye
Commissioners

CERTIFICATE OF ATTESTATION

STATE OF COLORADO)
County of Adams)

I, Josh Zygielbaum, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

The foregoing text is the authentic text of Adams County Ordinance No. 4. The first reading of said Ordinance took place on January 11, 2022 at a regular Board of County Commissioners meeting. It was published in full in a newspaper of general circulation at least ten days before its adoption; to wit, in the Thornton/Northglenn Sentinel and the Westminster Window on January 13, 2022. The Ordinance was adopted on second reading at a regular Board of County Commissioners meeting on January 25, 2022, and shall become effective on February 25, 2022.

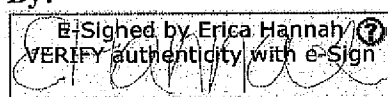
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 25th day of January, 2022.

County Clerk and ex-officio Clerk of the Board of County Commissioners
Josh Zygielbaum:

Josh Zygielbaum:



By:



Deputy

AN ORDINANCE TO REGULATE THE LOCATION AND OPERATION OF VENDING ON STREETS AND SIDEWALKS IN UNINCORPORATED ADAMS COUNTY.

WHEREAS, pursuant to Colorado Revised Statute §30-15-401, as amended, the Board of County Commissioners of Adams County has the power to adopt ordinances for control and licensing of those matters of local concern; and,

WHEREAS, pursuant to Colorado Revised Statute §43-2-108 as amended, the Board of County Commissioners for the County of Adams has established a County highway system; and,

WHEREAS, pursuant to Colorado Revised Statute §30-15-401(1)(b)(h) as amended, matters of purely local concern include the prevention or suppression of riots, routs, affrays, disturbances, and disorderly assemblies in any public or private place, to control and regulate the movement of parking of motor vehicles on public property, and do all acts and make all regulations which may be necessary or expedient for the promotion of health; and,

WHEREAS, it has come to the attention of the Board of County Commissioners of Adams County that unregulated vending on arterial streets within urbanized areas creates traffic hazards and health and safety problems; and,

WHEREAS, it is the opinion of the Board of County Commissioners of Adams County that in order to preserve the public peace, health, safety and welfare of the citizens of Adams County, the Board should take action;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of the County of Adams, State of Colorado that:

Section 1. Findings and Purpose

It is found and declared that:

1. The primary purpose of public streets and sidewalks is for use by vehicular and pedestrian traffic;
2. The primary purpose of arterial streets and adjacent sidewalks is to provide for unobstructed vehicular traffic and pedestrian safety;
3. Vending on urban arterial streets and sidewalks presents greater risk to the health safety and welfare of pedestrians and the motoring public;
4. Regulation of vending on streets and adjacent sidewalks is necessary to protect the public health, safety and welfare.
5. The regulations contained in this ordinance do not prohibit pure speech by religious organizations or others, but merely regulates the activities which are commercial in nature.

Section 2. Definitions

For the purposes of this ordinance, the following definitions shall apply:

1. "Local Licensing Authority" means the Board of County Commissioners for the County of Adams, State of Colorado.
2. "Motor Vehicle" means any vehicle used for the displaying, storing or transporting of articles offered for sale by a vendor which is required to be licensed and registered by the Department of Motor Vehicles.
3. "Arterial Street" are those streets designated as arterial or a higher classification by the Adams County Comprehensive Plan.
4. "Stand" means any table, container, showcase, bench rack, pushcart, wagon, or other wheeled vehicle or devise which may be moved without the assistance of

a motor and which is not required to be licensed and registered by the department of motor vehicles, used for the displaying, storing or transporting of articles offered for sale by a vendor.

5. "Vendor" means any person engaged in the selling or offering for sale of food, beverages or merchandise on public streets or sidewalks from a stand or motor vehicle or from his person.

Section 3. License Required

It shall be unlawful to sell or offer for sale any food, beverage or merchandise on any street or adjacent sidewalk within unincorporated Adams County without first obtaining a license therefore.

Section 4. Applications

A license required by Section 3 shall be issued in accordance with §7.521 of the Adams County Zoning Regulations. The application for a vendors license shall include the following information:

1. The name, home and business address of the applicant. The name and address of the owner, if other than the applicant, of the vending business stand or motor vehicle to be used in the operation of the vending business.
2. A description of the type of food, beverage or merchandise to be sold.
3. A description of the specific location of the vending business. Also include the name, home address of the landowner and written consent of property owner.
4. A description and photograph of any stand or motor vehicle to be used in the operation of the business including the license and registration number of any motor vehicle used in the operation of the business.
5. Three prints of a photograph taken not more than thirty days prior to the day of the application of any

person who will sell or offer for sale any food, beverage or merchandise on any street or sidewalk within the County.

6. A copy of a certificate of inspection as required by Tri-County Health Department.

7. Proof of an insurance policy issued by an insurance company licensed to do business in the state of Colorado protecting the licensee and the County from all claims for damages to property and bodily injury including death which may arise from operation under or in connection with the license. Such insurance shall name as an additional insured the County and shall provide that the policy shall not terminate or be cancelled prior to the expiration date without thirty days advanced written notice to the County.

8. Issuance.

Not later than 45 days after the filing of the completed application for vendor's license the applicant shall be notified by the licensing officer of the decision on the issuance or denial of the license. The Director of Planning and Development Services is hereby designated as the licensing officer who shall consider the standards set forth in Section 5 in determining whether to grant a license. If the issuance of the license is approved, the licensing officer shall issue the license. If the license is denied, the applicant shall be provided with the statement of the reasons therefore, which reasons shall be entered in writing on the application. The applicant shall be entitled to a hearing pursuant to Section 7.540, of the Adams County Zoning Regulations before the Board of Adjustment. The license issued pursuant to this section is valid for a period of not more than 12 months from the date of issuance. A license to vend on the sidewalk shall specify the location from which vending is permitted and shall only be valid for vending at that location.

Section 5. Vending Prohibited in Certain Locations

Vending is prohibited with the following exceptions:

1. Vending from stands on sidewalks is permitted except upon sidewalks adjacent to Principal Arterials subject to the restrictions in this ordinance.
2. Vending from motor vehicles is permitted except upon or adjacent to principal arterial streets subject to the restrictions in this ordinance.
3. Prohibited Conduct: No Vendor Shall:
 - a. Vend within 100 feet of the grounds of an elementary or secondary school.
 - b. Vend on any street or sidewalk where vending is prohibited.
 - c. Leave any stand unattended.
 - d. Store, park or leave any stand overnight on any street or sidewalk or park any motor vehicle other than in a lawful parking place in conformance with County parking regulations.
 - e. Sell food or beverages for immediate consumption unless he has available for public use his own or public litter receptacle which is available for his patron's use.
 - f. Leave any location without first picking up, removing and disposing of all trash refuse remaining from sales made by him.
 - g. Leave any items relating to the operation of the vending business to be placed anywhere other than in, on or under the stand or motor vehicle.
 - h. Set up, maintain or permit the use of any table, crate, cart rack or any other device to increase the selling or display capacity of his stand or motor vehicle or other items that have not been described in the application.
 - i. Solicit or conduct business with persons in motor vehicles upon or adjacent to any arterial street.

j. Sell anything other than that which he is licensed to vend.

k. Sounding or permit the sounding of any device which produces a loud and ruckus noise or use or operate any loud speaker, public address system, radio sound amplifier or similar devise to attract the attention of the public unless specifically authorized by the licensing officer.

l. Vend without the insurance coverage as specified in Section 4.

4. No vendor selling from a stand on the sidewalk shall:

a. Vend at any location where the sidewalk is not 6 feet or wider in width.

b. Vend within 24 feet of the crosswalk at any intersection.

c. Vend within 24 feet of any bus stop sign.

d. Lean against or hang from any building or other structure placed on public property any items related to the operation of the vending business without the owner's permission.

5. No vendor selling from a motor vehicle shall:

a. Conduct his business in such a way as would restrict or interfere with the ingress or egress of any private property or create or become a public nuisance, increase traffic congestion or delay or constitute a hazard to traffic, life or property, or an obstruction to adequate access to fire, police or sanitation vehicles.

b. Stop, stand or park his vehicle upon any street or permit it to remain there.

c. Stop, stand or park his vehicle upon any street for the purpose of selling or sell on any street

under any circumstances during the hours when parking or stopping has been prohibited by signs or curb markings or is prohibited by statute or ordinance.

d. Stop, stand or park his vehicle within 24 feet of any intersection except the vehicles vending products likely to attract children as customers shall park curb side when stopping to make a sale as close as possible to a pedestrian crosswalk without entering an intersection or otherwise interfering with the flow of traffic.

e. Size requirements for vending stands, no vending stand shall exceed 4 feet in width and 8 feet in length and 54 inches in height.

Health and safety vendors of food and beverages shall comply with all inspection provisions and standards established by Tri-County Health, Colorado Health Department or other state or local agencies.

Section 6. Display of License

All licenses shall be openly displayed at all items during the operation of the vending business in accordance with these provisions.

Section 7. Advertising

No advertising except posting the prices, shall be permitted on any stand or motor vehicle, except to identify the name of the product or the name of the vendor and all such advertising shall be approved prior to display by the Department of Planning and Development.

Section 8. Renewal

All licenses are valid for the entire licensing period unless revoked or suspended prior to expiration. Application to renew a license shall be made not later than 45 days before the expiration of the current license.

Section 9. Denial Suspension Revocation

Any license may be denied, suspended or revoked for any of the following causes:

1. Fraud or misrepresentation contained in the application for the license.
2. Fraud or misrepresentation made in the course of carrying on the business of vending.
3. Conduct of the licensed business in such a manner as to create a public nuisance, or constitute a danger to the public health, safety, welfare or morals.
4. Conduct of the licensed business contrary to provisions of this ordinance.

The Local Licensing Authority on its own motion or on complaint, after investigation, notice, and public hearing at which the licensee shall be given an opportunity to be heard, may suspend or revoke any license issued under the provisions of this ordinance if the licensee violates any of the provisions of this ordinance or any of the terms, conditions, or provisions of the license.

Notice of suspension or revocation, as well as notice of any suspension revocation hearing, shall be given by mailing the same, certified, to the licensee at the address contained in such license. The notice of a revocation or suspension hearing shall set forth the probable cause to believe the licensee has violated terms of the provisions of this and more or any of the terms, conditions or provisions of the license. The licensing authority shall cause to be served upon such licensee a notice of hearing ordering the person charged to appear and show cause why the license should not be suspended or revoked.

In the event the licensee is found not to have violated any law, rule or regulation, the charges against him will be dismissed. If the licensee is found to have violated the provisions of this ordinance, his license may be suspended or revoked.

Temporary-summary suspension where the Licensing authority has reasonable grounds to believe and finds that the licensee has been guilty of a deliberate and willful

violation of any provisions of this ordinance or that the public health, safety or welfare requires emergency action and incorporates such findings in its order, it may temporarily or summarily suspend the license pending proceedings for suspension or revocation which shall be promptly instituted and determined. Such temporary suspension shall be for a period not to exceed 15 days.

Section 10. Penalty

Violations of this ordinance by an individual shall be punishable by fine of not more than \$300 for each violation or imprisonment in the county jail for no more than 90 days for each violation or by both such fine and imprisonment.

Section 11. Enforcement

Provisions of this ordinance shall be enforced by the Adams County Sheriff's Department.

Section 12. Disposition of Fines.

All fines imposed and collected for the violation of this ordinance shall be paid into the General Fund of Adams County.

Section 13. Severability Clause.

If any of the various provisions of this ordinance are determined by a court of law to be invalid, such determination shall not effect the remaining provisions of this ordinance.

STATE OF COLORADO)
) ss.
COUNTY OF ADAMS)

I, Robert Sack, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

This Ordinance was published in full in a newspaper of general circulation in Adams County at least ten (10) days prior to its adoption; to wit, Commerce City Express on June 11, 1991. Said Ordinance was introduced and read in full at a regular meeting of the Board of County Commissioners of the County of Adams, State of Colorado, on June 5, 1991. Said introduction and reading was held prior to the adoption of said Ordinance.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, this 8th day of July, 1991.



ROBERT SACK
County Clerk and ex-officio Clerk of the Board of County Commissioners

by Malma Thatcher
Deputy

ORDINANCE NUMBER SIX FOR THE CONTROL OF UNLEASHED OR
UNCLAIMED ANIMALS

Resolution 2022-090

WHEREAS, the Board of County Commissioners is expressly authorized by § 30-15-401(1)(e), Colorado Revised Statutes (C.R.S.), as amended, to adopt an ordinance for the control of unleashed or unclaimed animals; and,

WHEREAS, the Board of County Commissioners is also expressly authorized by § 30-15-101, *et. seq.*, C.R.S., as amended, to adopt a resolution establishing reasonable regulations and restrictions concerning the control, licensing, and impoundment of dogs and other animals; and,

WHEREAS, Adams County has developed this Ordinance to function harmoniously with the Animal Control Code Resolution enacted pursuant to §30-15-101 et seq.; and,

WHEREAS, Adams County aggregates animal-related regulations enacted by resolution and ordinance in the Animal Control Code; and,

WHEREAS, the provisions of this Ordinance shall also be incorporated into the Animal Control Code; and,

WHEREAS, Adams County Animal Management (“ACAM”) has recommended revisions to previously implemented animal control regulations that better enable ACAM to regulate the control of unleashed and unclaimed animals and comply with recent legislative changes; and,

WHEREAS, the Board of County Commissioners concurs with the recommendations of ACAM, and finds that the control of unleashed or unclaimed animals within the territory of unincorporated Adams County is a matter of local concern that is necessary for the protection of the health, safety, and welfare of the citizens of Adams County.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners, County of Adams, State of Colorado, that, Ordinance No. 6: Pet Animal Licensing and Control enacted by the Board of County Commissioners on November 15, 2016 is hereby amended and re-enacted effective March 1, 2022 as follows:

ARTICLE I: DEFINITIONS

Pursuant to § 2-4-101, C.R.S., as amended, all words and phrases contained in this Ordinance shall be read in context and construed according to the rules of grammar and common usage, unless otherwise particularly defined herein.

- 1-1. **“Adams County Animal Management (ACAM)”** means the work unit within the Adams County Community Safety and Well-Being Department, tasked with the duties and responsibilities associated with the management, control, and enforcement of pet animal issues.
- 1-2. **“Animal”** means any living creature other than a human being or those defined in 35-44-101 (1), C.R.S.
- 1-3. **“Animal Management Officer”** means any employee of Adams County who is employed for the purpose of animal control.
- 1-4. **“Caretaker” or “Custodian”** means any person who harbors an animal or has the custody, charge, care, or possession of a pet animal, including the owner of the animal.
- 1-5. **“Control”** means:
 - (a) Physical restraint of an animal by means of a leash, cord, or chain or confinement of an animal within the boundaries of the real property of its owner or caretaker; or
 - (b) Physical or verbal command, domination, or regulation of certain animals such as working livestock, retrieving wild game in season with a licensed hunter, assisting law enforcement officers, or being trained for any of these pursuits; or
 - (c) Prevention of noise or disturbance that constitutes a violation of the Animal Control Code.
- 1-6. **“Dog” or “domestic dog”** means any animal of the genus and species *Canis Familiaris* or that is related to the wolf.
- 1-7. **“Harboring”** means occupying any premises on which an animal is kept or to which an animal customarily returns for food and care. Persons harboring an animal shall be subject to the provisions of this Code as it applies to animal owners, caretakers, and custodians.
- 1-8. **“Impound”** means to take custody of and hold an animal at the Riverdale Animal Shelter (RAS).

- 1-9. **“Owner”** means any person who is eighteen (18) years of age or older, or the parent or guardian of any child under the age of eighteen (18) years, that has, possesses, controls, harbors, keeps, has a financial interest in, or has custody of an animal, including a vicious animal as the term is defined in this Ordinance.
- 1-10. **“Person”** means any individual human being or any firm, corporation, or other organization.
- 1-11. **“Pet animal”** means:
- (a) Any animal owned or kept by a person for companionship or protection or for sale to others for such purposes, as defined by § 30-15-101(3), C.R.S., as amended.
 - (b) The definition of “pet animal” does not include feral cats, wildlife, livestock used for any purposes or that is stray as defined in § 35-44-101, C.R.S., as amended, or animals that are owned or bought and sold through the efforts of those that are licensed, inspected, or both, by the United States Department of Agriculture, the Colorado Department of Agriculture, or both.
- 1-12. **“Rabies vaccination tag”** or **“vaccination tag”** means a valid metal tag issued by a licensed veterinarian evidencing a current rabies vaccination.
- 1-13. **“Riverdale Animal Shelter (RAS)”** means the animal shelter owned and operated by Adams County for the impoundment of animals, pursuant to § 30-15-101(1)(a)(IV), C.R.S., as amended, the Pet Animal Care and Facilities Act, § 35-80-101, *et seq.*, C.R.S., as amended, and § 35-80-106.6, C.R.S. titled the Care of Dogs and Cats in Animal Shelters and Pet Animal Rescues
- 1-14. **“Running-at-large”** or **“at-large”** means an animal that is not on the property of its owner, caretaker, or custodian and/or is not under the control of a person.
- 1-15. **“Vicious animal”** or **“dangerous animal”** means:
- (a) Any pet animal that has inflicted bodily injury upon or has caused the death of a person, another animal, or livestock; or
 - (b) Any pet animal that has demonstrated tendencies that would cause a reasonable person to believe the animal may inflict bodily injury upon or cause the death of any person, another animal, or livestock; or
 - (c) Any pet animal that has engaged in or been trained for animal fighting as described and prohibited in § 18-9-204, C.R.S., as amended; or
 - (d) A dangerous dog, as defined in § 18-9-204.5, C.R.S., as amended.

**ARTICLE II: DUTIES AND POWERS OF ANIMAL MANAGEMENT
OFFICERS**

- 2-1. Pursuant to § 30-15-402.5(1) C.R.S., as amended, Animal Management Officers shall hereby have the duty and authority to enforce all sections of this Ordinance as it pertains the control of unleashed or unclaimed animals.
- 2-2. It shall be lawful for an Animal Management Officer to enter upon private property to capture an animal to be impounded for violation of this Code if:
- (a) The Animal Management Officer has obtained a search warrant; or
 - (b) The Animal Management Officer has obtained the consent of the owner or resident of the property; or
 - (c) The Animal Management Officer is in pursuit of an animal that has been running-at-large, except that the Animal Management Officer shall not enter into any enclosed building or structure on private property without a search warrant or the consent of the owner or resident of the property upon which the enclosed building or structure is located.
- 2-3. Animal Management Officers may be appointed to the State Bureau of Animal Protection pursuant to § 35-42-107, C.R.S. and nothing in this Ordinance shall abrogate their powers and duties thereunder.
- 2-4. Nothing in this Code shall be construed to prevent any Animal Management Officer from taking whatever action is reasonably necessary to protect his or her person or members of the public from injury by any animal.

ARTICLE III: RECORDS

- 3-1. It shall be the duty of ACAM to keep, or cause to be kept, accurate, detailed, and complete records of all summonses, complaints, warnings, and violations issued under this Code.

ARTICLE VI: PROHIBITED OR UNLAWFUL ACTS

- 4-1. **Animals-at-large prohibited.** It shall be unlawful for the owner or custodian of any animal to permit the same to run, go, or be at-large on any street or public place within the county, or upon the premises of any other person, without prior written permission of such other person.
- (a) Exceptions: This section shall not apply to areas designated by the county as dog training areas or off leash dog park sites. At such sites, owners or custodians may allow dogs to run, go, or be at large off leash, subject to the conditions listed below. Violation of any of the following conditions shall constitute a violation of this section:

1. Owners and custodians shall not bring their dogs into an off-leash site, or remain at the site with their dogs, after sunset or before sunrise.
2. Owners and custodians shall keep their dogs leashed when entering or leaving the fenced enclosure of the off-leash site and must have a visible leash with them at all times.
3. Dogs must be accompanied by a person at least eighteen (18) years of age when inside the enclosure.
4. Children under the age of 18 must be supervised by a person eighteen (18) years or older.
5. Owners and custodians shall not allow their dogs to chase or harass wildlife or other dogs.
6. Owners and custodians shall not leave their dogs unattended.
7. Owners and custodians shall immediately remove their dog's waste.
8. Pinch (prong) and spike collars must be removed prior to entering the enclosure.
9. No more than two (2) dogs per owner or custodian are allowed.
10. Owners/custodians shall not bring any of the following dogs into the off-leash site:
 - i. Dangerous or aggressive dogs;
 - ii. Female dogs in heat;
 - iii. Dogs without a current vaccination tag attached to the collar worn by the dogs;
 - iv. Dogs without a current identification tag attached to the collar worn by the dog or a traceable microchip;
 - v. Unvaccinated dogs;
 - vi. Dogs known to be ill or exhibiting signs of illness; or
 - vii. Dogs not under voice command, unless in areas at the site designated for training.
11. Any person who brings a dog to an off-leash dog park or dog training site designated by the county shall be treated as the owner or custodian of the dog for purposes of this section.

12. Anyone entering an off-leash dog park or dog training site designated by the county assumes the risk of injury and property damage caused by their own dog, other dogs, other persons, or any of the facilities at the site. By entering this site, every person agrees to release the County of Adams and its employees from liability for injuries or property damage caused by any act or omission of the county or its employees. The owner or custodian assumes liability for any injury or property damage to persons or other dogs caused by their dog.

- (b) A vicious or dangerous animal in violation of 4-1 shall be subject to separate penalties.
- (c) It shall be a separate unlawful offense of Habitual Ordinance Violations for an owner or caretaker of any animal to violate this Ordinance after being convicted for violating this Ordinance three (3) or more times during any consecutive twelve (12) -month period of time.

ARTICLE V: PENALTIES FOR VIOLATIONS

- 5-1. Pursuant to § 30-15-402(1), C.R.S., as amended, any violation of this Ordinance shall be a civil infraction and shall be punishable by a fine of not more than one thousand dollars (\$1000).
- 5-2. Pursuant to § 30-15-402(1), C.R.S., as amended, Animal Management Officers, and/or any arresting law enforcement officers, are hereby authorized to assess penalties for violations of this Code in accordance with the penalty assessment procedures of § 16-2-201, C.R.S., as amended, and as otherwise specified herein.
- 5-3. Accordingly, a graduated fine schedule for violations of this Ordinance shall be imposed as follows:

VIOLATION	NUMBER OF OFFENSES	FINE
Animal-at-large	1	\$75
	2	\$150
	3 or more	\$300
Vicious or dangerous animal-at-large	1 or more	\$1000
Habitual Ordinance violations	1 or more	\$1000

- 5-4. The graduated fines enumerated above shall be imposed when any caretaker, custodian or other person violates this Ordinance.
- 5-5. Pursuant to §§ 30-15-402(1), and § 16-2-201, C.R.S., whenever an Animal Management Officer has probable cause to believe a violation of this Ordinance

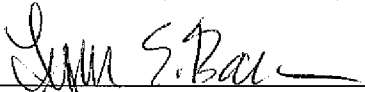
- has occurred, the officer shall issue a penalty assessment notice to the alleged offender, which shall be in the form of a summons and complaint.
- 5-6. Pursuant to § 16-2-201(2), C.R.S., as amended, the summons and complaint shall identify the alleged offender, state with specificity the sections of this Ordinance that were allegedly violated by the offender, state the applicable fine for the offense or each offense, and state that the alleged offender must pay the fine(s) by a date certain or appear to answer the charge(s) at a specified time and place. A duplicate copy of the summons and complaint shall be sent to the County Court Clerk of the 17th Judicial District.
- 5-7. Pursuant to § 16-2-201(3), C.R.S., as amended, if the person given a summons and complaint chooses to acknowledge guilt, the person may pay the assessed fine by mail, in person or online, within the time specified in the summons and complaint.
- 5-8. If the person given a summons and complaint chooses not to acknowledge guilt and to contest the violation(s) alleged, the person shall appear in court at the date, time, and place specified in the summons and complaint.

ARTICLE VI: ADDITIONAL PROVISIONS

- 6-1. **Disposition of fines.**
- a) Pursuant to § 30-15-408, C.R.S., as amended, all fines for violations of this Ordinance shall be paid into the treasury of the County, and deposited into the County's general fund, as such fines and fees are collected.
 - b) Pursuant to § 3-15-402(2), in addition to the penalties prescribed above, persons convicted of a violation of this Ordinance No. 6 shall be subject to a surcharge of ten dollars that shall be paid to the clerk of the court by the defendant. Each clerk shall transmit the moneys to the court administrator of the 17th Judicial District for credit to the victims and witnesses assistance an law enforcement fund established in that judicial district pursuant to § 24-4.2-103, C.R.S.
 - c) Court costs, if any, will be paid directly to the court.
- 6-2. **Limitation on suits.** Pursuant to § 30-15-409, C.R.S., prosecutions for the commission of any violation of this Ordinance shall be barred one (1) year after the commission of the offense.
- 6-3. **Severability.** If any section, paragraph, clause, or provision of this Ordinance shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining sections, paragraphs, clauses, or provisions of this Ordinance, it being the intention that the various parts hereof are severable.

6-4. **Effective Date.** Pursuant to § 30-15-405, C.R.S., as amended, this Code shall take effect on February 25, 2022.

Adopted this 25th day of January, 2022.



Lynn Baca, Chair
Board of County Commissioners
Adams County, Colorado

Upon motion duly made and seconded the foregoing Ordinance was adopted by the following vote:

Henry _____ Aye
Tedesco _____ Aye
Pinter _____ Aye
O'Dorisio _____ Aye
Baca _____ Aye
Commissioners

CERTIFICATE OF ATTESTATION

STATE OF COLORADO)
County of Adams)

CERTIFICATE OF ATTESTATION

I, Josh Zygielbaum, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

The foregoing text is the authentic text of Adams County Ordinance No. 6. The first reading of said Ordinance took place on January 11, 2022 at a regular Board of County Commissioners meeting. It was published in full in a newspaper of general circulation at least ten days before its adoption; to wit, in the Thornton/Northglenn Sentinel and the Westminster Window on January 13, 2022. The Ordinance was adopted on second reading at a regular Board of County Commissioners meeting on January 25, 2022 and shall become effective on February 25, 2022.

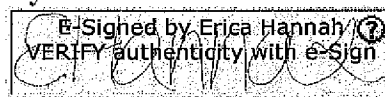
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 25th day of January, 2022.

County Clerk and ex-officio Clerk of the Board of County Commissioners
Josh Zygielbaum:

Josh Zygielbaum:



By:



Deputy

STATE OF COLORADO }
County of Adams } ss.

At a Regular meeting of the Board of County Commissioners for Adams County, Colorado, held at the Administration Bldg. in Brighton on Monday, the 23rd day of August, A.D. 1993, there were present:

- Harold E. Kite Commissioner Chairman
- Elaine T. Valente Commissioner
- Guillermo A. DeHerrera Commissioner
- Robert J. Loew County Attorney
- Wilma Thatcher Deputy Clerk of the Board

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BOOK 4135 PAGE 613

when the following proceedings, among others were held and done, to-wit:

ADOPTION OF ORDINANCE NO. EIGHT TO REGULATE LOITERING BY MINOR CHILDREN IN UNINCORPORATED ADAMS COUNTY

WHEREAS, Colorado Revised Statutes, §30-15-401(1)(d) authorizes the Board of County Commissioners to enact ordinances restraining and punishing loiterers; and,

WHEREAS, the Board of County Commissioners of the County of Adams, State of Colorado, has determined that the loitering of juveniles between the hours of 11:00 p.m. and 6:00 a.m. is a matter of public concern; and,

WHEREAS, the Board of County Commissioners finds that the protection of minors from other minors and from adults will be enhanced by the imposition of a curfew in unincorporated Adams County; and,

WHEREAS, the Board of County Commissioners finds that a curfew will aid in the protection of the public from nocturnal mischief by minors; and,

WHEREAS, the Board of County Commissioners finds that a curfew will aid in the reduction of criminal activity by minors; and,

WHEREAS, the Board of County Commissioners finds that the enforcement of parental control of and responsibility for children will be enhanced by a curfew.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Adams County Minor Child Curfew Ordinance attached hereto is hereby formally adopted as of this date.

Upon motion duly made and seconded the foregoing Resolution was adopted by the following vote:

.....	<u>Kite</u>	Aye
.....	<u>Valente</u>	Aye
.....	<u>DeHerrera</u>	Aye

Commissioners

STATE OF COLORADO }
County of Adams } ss.

I, Robert Sack, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, this 23rd day of August, A.D. 1993

County Clerk and ex-officio Clerk of the Board of County Commissioners

Robert Sack

By Wilma Thatcher
Deputy



**ORDINANCE NO. EIGHT REGULATING LOITERING BY MINOR
CHILDREN IN UNINCORPORATED ADAMS COUNTY**

WHEREAS, Colorado Revised Statutes, Section 30-15-401(1)(d) authorizes the Board of County Commissioners to enact ordinances restraining and punishing loiterers; and,

WHEREAS, the Board of County Commissioners of the County of Adams, State of Colorado has determined that the loitering of juveniles between the hours of 11:00 p.m. and 6:00 a.m. is a matter of public concern; and,

WHEREAS, the Board of County Commissioners finds that the protection of minors from other minors and from adults will be enhanced by the imposition of a curfew in unincorporated Adams County; and,

WHEREAS, the Board of County Commissioners finds that a curfew will aid in the protection of the public from nocturnal mischief by minors; and,

WHEREAS, the Board of County Commissioners finds that a curfew will aid in the reduction of criminal activity by minors; and,

WHEREAS, the Board of County Commissioners finds that the enforcement of parental control of and responsibility, for children will be enhanced by a curfew.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners, County of Adams, State of Colorado, that:

1. Definitions. As used in this section:

A. "Loitering" or "Loiter" shall mean remaining idle in essentially one location, to be dilatory, to tarry, to dawdle and shall include but not be limited to standing around, hanging out, sitting, kneeling, sauntering or prowling.

2. It shall be unlawful for any person under the age of 18 years to loiter on or about any street, sidewalk, curb, gutter, parking lot, alley, vacant lot, park, playground or yard, whether public or private, without the consent or permission of the owner or occupant thereof, during the hours between 11:00 p.m. and 6:00 a.m. according to the applicable time standard then in effect for the county, unless accompanied by a parent, guardian or other adult person over the age of twenty-one years.

E:Ordina2

**ORDINANCE NO. 9
ADAMS COUNTY TRAFFIC CODE**

Resolution 2017-278

WHEREAS, Sections 30-15-401(1)(h) and 42-4-110, C.R.S., authorize a board of county commissioners to adopt ordinances which control and regulate the movement and parking of motor vehicles on public property; and,

WHEREAS, Section 42-4-110(1)(b), C.R.S., authorizes local authorities to adopt by reference all or part of a model traffic code, which embodies the rules of the road and the vehicle requirements set forth in Section 42-4-110, C.R.S., and Section 42-4-111, C.R.S., except in the case of state highways, in which case any regulations shall also be approved by the Colorado Department of Transportation; and,

WHEREAS, the Board of County Commissioners of Adams County wishes to repeal the Ordinance No. 9 Adams County Traffic Code that was adopted on November 2, 2011 in order to amend Section V- Penalty Procedure and Penalty; and,

WHEREAS, simultaneous with this repeal, the Board of County Commissioners of Adams County wishes to re-enact Ordinance No. 9 and adopt by reference the 2010 edition of the Model Traffic Code for Colorado with said amendments as its new Ordinance No. 9, to be known as the Adams County Traffic Code; and,

WHEREAS, the Board of County Commissioners finds that local traffic regulation and enforcement are of paramount importance in furthering the health, safety and welfare of the citizens of Adams County, Colorado.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Adams County, Colorado as follows:

SECTION I – REPEAL AND RE-ENACTMENT

The Board of County Commissioners hereby repeals the November 2, 2011 version of Ordinance No. 9 Adams County Traffic Code, and re-enacts Ordinance No. 9 as indicated below.

SECTION II – ADOPTION

Pursuant to Sections 42-4-110(1) and 30-15-401(1)(h), C.R.S., there is hereby adopted by reference Articles I and II, inclusive, of the 2010 edition of the Model Traffic Code promulgated and published as such by the Colorado Department of Transportation, Safety and Traffic Engineering Branch, 4201 East Arkansas Avenue, EP 700, Denver, Colorado 80222. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations for Adams County. The purpose of this Ordinance is to provide a system of traffic regulations consistent with state law and generally conforming to similar regulations throughout the state and the nation. Three (3) copies of the Model Traffic Code adopted herein are now filed in the office of the County Clerk and Recorder of Adams County, and may be inspected during regular business hours. This traffic code of this Ordinance referencing the 2010 edition of the Model Traffic Code shall be known as the Adams County Traffic Code.

SECTION III – DELETIONS

The 2010 edition of the Model Traffic Code is adopted as if set out at length save and except the following articles and/or sections which are declared to be inapplicable to the County of Adams and are therefore expressly excluded and/or deleted from the Adams County Traffic Code:

Section 107
Section 203
Section 228(7)
Section 233
Section 238
Section 507
Section 508
Section 509
Section 510
Section 511
Section 611
Section 613
Section 705 (2), (2.5), and (2.6)
Section 1008.5
Section 1101(12)(b)
Section 1105
Section 1210
Section 1401
Section 1402
Section 1406(1)(b)
Section 1407(3)(c)
Section 1409
Section 1412
Section 1413
Section 1706
Section 1901
Section 1902
Section 1903
Section 1904

SECTION IV – ADDITIONS AND MODIFICATIONS

The adopted Model Traffic Code is subject to the following additions or modifications:

Throughout the Model Traffic Code, all references made to “police officers” shall be replaced with “deputy sheriff.”

Throughout the Model Traffic Code, the terms “offenses” and “infractions” shall be interchangeable.

Throughout the Model Traffic Code, the terms “complaint,” “citation,” and “penalty assessment notice” shall be interchangeable.

Throughout the Model Traffic Code, references to bail and bail forfeiture are not applicable.

SECTION V – PENALTY PROCEDURE AND PENALTY

(A) Any person who violates any provision of this Ordinance commits a traffic infraction, and may be punished by a fine not exceeding one thousand dollars (\$1,000) for each separate violation. The penalty and fine schedule set forth in Sections 42-4-1701 and 42-4-1703, and sections 42-4-1708 through 42-4-1718, C.R.S., as amended, shall apply.

(B) In addition to the penalties prescribed in this section, persons convicted of a violation of this Ordinance are subject to surcharges, which shall be in accordance with the surcharge amounts set forth in Section 42-4-1701, C.R.S., as amended. Unless otherwise provided for, all fines, penalties, and surcharges shall be paid into the treasury of Adams County. Court costs, if any, shall be paid directly to the Clerk of the Court by each defendant.

(C) In addition to the fines, penalties and surcharges prescribed in this Ordinance, persons convicted of a violation of this Ordinance shall be subject to the statutory surcharge prescribed in Section 30-15-402(2), C.R.S., as amended, which shall be transmitted to the court administrator of the 17th Judicial District for credit to the Victims and Witness Assistance and Law Enforcement fund established pursuant to Section 24-4.2-103, C.R.S., as amended.

(D) In addition to the fines, penalties and surcharges prescribed in this Ordinance, persons convicted of operating a vehicle in excess of the speed limit shall be subject to the statutory surcharge prescribed in Section 30-15-402(3), C.R.S., as amended, which shall be transmitted to the state treasurer for credit to the Colorado traumatic brain injury trust fund created pursuant to Section 26-1-309, C.R.S., as amended.

(E) When Adams County issues a citation pursuant to Sections 42-4-507 or 42-4-508, C.R.S., as amended, and a person is convicted of the violation, the penalties and surcharges prescribed in Section 42-4-1701(4)(a)(II)(A), C.R.S., as amended, shall apply, and Adams County shall retain the portion of the penalty prescribed in Section 42-4-1701(4)(a)(II)(B), C.R.S., as amended, which shall be paid into the treasury of Adams County. The remainder of the penalty shall be transmitted to the state treasurer to be credited to the commercial vehicle enterprise tax fund created in Section 42-1-225, C.R.S., as amended.

(F) Any person who commits a moving traffic violation in a designated school zone or highway construction zone is subject to double the penalties and surcharges imposed by paragraph (A) of this Section V, and Section 42-4-1701, C.R.S., as amended.

(G) Points assessed against a driving privilege shall be in conformance to the provisions of Section 42-2-127, C.R.S., as amended, to include reduction in points as specified in the statute.

SECTION VI – APPLICATION

This Ordinance shall apply to every street, alley, sidewalk area, driveway, park and to every other public way or public place or public parking area within the unincorporated areas of Adams County, Colorado. The provisions of sections 1401, 1402, 1413, and part 16 of the adopted Model Traffic Code, respectively concerning reckless driving, careless driving, eluding a police officer, and accidents and accident reports shall apply not only to the public places and ways but also throughout Adams County.

SECTION VII - VALIDITY

If any part or parts of this Ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of County Commissioners hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid.

SECTION VIII – REPEAL

Existing or parts of prior ordinances covering the same matters as embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance.

SECTION IX – INTERPRETATION

This Ordinance shall be so interpreted and construed as to effectuate its general purpose to conform to the State's uniform system for the regulation of vehicles and traffic. Section headings and cross references of this Ordinance and adopted Model Traffic Code shall not be deemed to govern, limit, modify or, in any manner, affect the scope, meaning or extent of the provisions of any article or section thereof.

SECTION X – ENFORCEMENT

The provisions of this Ordinance shall be enforced by the Adams County Sheriff.


SECTION XI – CERTIFICATION

The Adams County Clerk and Recorder shall certify to the passage of this Ordinance and make not less than three copies of the adopted Model Traffic Code available for inspection by the public during regular business hours.

SECTION XII – EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after the final publication of its adoption by the Board of County Commissioners.

Adopted this 20th day of June, 2017.


Eva J. Henry, Chair
Board of County Commissioners
Adams County, Colorado

Upon motion duly made and seconded the foregoing Ordinance was adopted by the following vote:

Henry	_____	Aye
Tedesco	_____	Aye
O'Dorisio	_____	Aye
Hansen	_____	Aye
Hodge	_____	Aye
Commissioners		

CERTIFICATE OF ATTESTATION

STATE OF COLORADO)
County of Adams)

I, Stan Martin, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for Adams County, Colorado do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

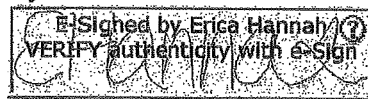
The foregoing text is the authentic text of Adams County Ordinance No. 9. The first reading of said Ordinance took place on May 30, 2017, at a regular Board of County Commissioners meeting. It was published in full in a newspaper of general circulation at least ten days before its adoption; to wit, in the Denver Post on June 5, 2017. The Ordinance was adopted on second reading at a regular Board of County Commissioners meeting on June 20, 2017, and published in the Denver Post for a second time on June 26, 2017. The Ordinance shall become effective on July 26, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 20th day of June, 2017.

County Clerk and ex-officio Clerk of the Board of County Commissioners
Stan Martin:



By:



Deputy

ORDINANCE NO. 10

**AN ORDINANCE RE-ENACTING AND RE-ADOPTING ORDINANCE NO. 10
REGULATING PAWNBROKERS AND PROVIDING PENALTIES FOR THE
VIOLATION THEREOF**

Resolution 2022-091

WHEREAS, in 1999 the Board of County Commissioners of Adams County adopted Ordinance No. 10 regulating pawnbrokers in unincorporated Adams County; and,

WHEREAS, the location of pawnshops in unincorporated Adams County is governed by the Adams County Development Standards and Regulations, as amended; and,

WHEREAS, §30-15-401(1), C.R.S. as amended, and §29-11.9-101, *et seq.* C.R.S. as amended authorize the Board of County Commissioners to adopt by ordinance regulations governing pawnbrokers; and,

WHEREAS, §29-11.9-104, C.R.S. as amended, specifically authorizes the Board of County Commissioners to adopt regulations governing pawnbrokers that are “at least as restrictive” as the Colorado statutes governing pawnbrokers; and,

WHEREAS, the Board of County Commissioners finds that regulating pawnbrokers is necessary to the health, welfare and public safety of the citizens of Adams County because a lack of regulation encourages trafficking in stolen property; and,

WHEREAS, it is the intent of the Board of County Commissioners in adopting these regulations to aid law enforcement agencies in identifying and recovering stolen property by providing a mandatory record-keeping and reporting system and a mandatory holding period concerning property purchased by pawnbrokers in the course of business.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners, County of Adams, State of Colorado, that Ordinance No. 10, regulating the operation of pawnshops in the unincorporated portions of Adams County, enacted by the Board of County Commissioners in 1999 is hereby amended, re-enacted and re-adopted as follows:

SECTION I. DEFINITIONS

When not otherwise clearly indicated by the context, the following words and phrases used in this Ordinance shall have the following meanings:

- A. “Contract for Purchase” means a contract entered into between a pawnbroker and a customer pursuant to which money is advanced to the customer by the pawnbroker on the delivery of tangible personal property by the customer on the condition that the customer, for a fixed price and within a fixed period of time, to be no less than thirty (30) days, has

the option to cancel said contract.

- B. "Fixed Price" means the amount agreed upon to cancel a contract for purchase during the option period. Said fixed price shall not exceed one-fifth of the original purchase price for each month, plus the original purchase price.
- C. "Fixed Time" means that period of time, to be no less than thirty (30) days, as set forth in a contract for purchase for an option to cancel said contract.
- D. "Licensing Authority" means the Board of County Commissioners, County of Adams, State of Colorado, or any authority designated by county resolution.
- E. "Option" means the fixed time and the fixed price agreed upon by the customer and the pawnbroker in which a contract for purchase may be, but does not have to be, rescinded by the customer.
- F. "Pawnbroker" means a person regularly engaged in the business of making contracts for purchase or purchase transactions in the course of his or her business.
- G. "Pawnbroking" means the business of a pawnbroker.
- H. "Pawn slip" or "pawn ticket" means the form upon which is listed the tangible personal property that is the subject of a contract for purchase or purchase transaction.
- I. "Purchase Transaction" means the purchase by a pawnbroker in the course of his or her business of tangible personal property for resale, other than newly manufactured tangible personal property which has not previously been sold at retail when such purchase does not constitute a contract for purchase.
- J. "Tangible Personal Property" means all personal property other than choses in action, securities, or printed evidence of indebtedness, which property is deposited with or otherwise actually delivered into the possession of a pawnbroker in the course of his or her business in connection with a contract for purchase or purchase transaction.

SECTION II. FEES

- A. Pawnbrokers shall pay a transaction fee in the amount of one dollar (\$1.00) for every pawn slip completed as a result of entering into a contract for purchase or a purchase transaction. This fee is to defray the law enforcement costs associated with processing pawnbroker records and may be charged to the customer at the discretion of the pawnbroker.
- B. For the purposes of imposition of the transaction fee, a parcel of homogenous tangible personal property that is offered as one item and purchased for one set price shall be considered to be one item of tangible personal property. Tangible personal property with identifying marks on such property, including but not limited to any identification

number, serial number, model number or inscription shall be individually itemized.

- C. Individual components of a stereo or computer system shall be individually itemized. However, when a stereo or computer system is being offered as one item and purchased for one set price, only one transaction fee shall be imposed.
- D. Any fees imposed under this Ordinance are subject to annual review by the Licensing Authority to ensure that the fees charged are reasonably related to the costs associated with the enforcement and administration of these regulations. The Licensing Authority may change the fees described herein by resolution.

SECTION III. PAWNSHOP OPERATIONS

A. Contracts for purchase and purchase transactions:

(1) A pawnbroker shall keep a numerical register in which he or she shall immediately record the following information concerning all contracts for purchase or purchase transactions:

(a) The name, address, and date of birth of the customer, as well as the identification number from any of the following forms of identification of the customer:

- (i) a valid Colorado driver's license;
- (ii) an identification card issued in accordance with § 42-2-302. C.R.S.;
- (iii) a valid driver's license containing a picture issued by another state;
- (iv) a military identification card;
- (v) a valid passport;
- (vi) an alien registration card; or
- (vii) a non-picture identification document issued by a state or federal government entity;

(b) A clear and identifiable imprint of the customer's right index finger;

(c) The date, time, and place of the contract for purchase or purchase transaction; and,

(d) An accurate and detailed account and description of each item of tangible personal property, including, but not limited to, any trademark, identification number,

- serial number, model number, brand name, or other identifying marks of such property. The pawnbroker shall make all reasonable efforts to locate this identifying information.
- (2) The pawnbroker shall also obtain a written declaration of the customer's ownership which shall state that each item of tangible personal property is totally owned by the customer or shall have attached to such declaration a power of sale from the partial owner to the customer, how long the customer has owned the property, whether the customer or someone else found the property, and, if the property was found, the details of the finding. If tangible personal property is purchased as a parcel for the purposes of the transaction fee, pursuant to Section II(B) herein, the pawnbroker shall obtain a written declaration of the customer's ownership which shall state that each item of tangible personal property in the parcel is totally owned by the customer, or shall have attached to such declaration a power of sale from the partial owner to the customer, how long the customer has owned the property, whether the customer or someone else found the property, and, if the property was found, the details of the finding.
 - (3) The customer shall sign his or her name in the numerical register and on the declaration of ownership and the pawnbroker shall give the customer a copy of the contract for the purchase or receipt of the purchase transaction.
 - (4) If the contract for purchase or other purchase transaction involves more than one item, each item shall be individually recorded on the pawnbroker's register, the customer's declaration of ownership, and on the pawn slip.
 - (5) The numerical register shall be kept in the format required by the Adams County Sheriff ("Sheriff") and shall be made available to the Sheriff or any law enforcement officer for inspection at any reasonable time.
 - (6) The pawnbroker shall keep each register for at least three (3) years after the date of the last transaction entered in the register.
 - (7) A pawnbroker shall hold all contracted goods within this jurisdiction for a period of ten (10) days following the maturity date of the contract for purchase, during which time such goods shall be held separate and apart from any other tangible personal property and shall not be changed in form or altered in any way.
 - (8) A pawnbroker shall hold all property purchased through a purchase transaction for thirty (30) days following the date of purchase, during which time such property shall be held separate and apart from any other tangible personal property and shall not be changed in form or altered in any way.
 - (9) A pawnbroker shall provide the Sheriff with the original and one (1) copy of the records of all tangible personal property accepted during the preceding week and the original of the customer's declaration of ownership. These records shall be provided

in the format required by the Sheriff and shall contain the same information required to be recorded in the pawnbroker's register pursuant to subsection (A)(1) of this section. The Sheriff shall designate the day of the week on which the records and declarations shall be submitted.

- B. All pawnshop transactions, whether they involve a contract for purchase or a purchase transaction, shall be videotaped. Any such videotapes shall be kept by the pawnbroker for a minimum of ninety (90) days and shall be made available to any local law enforcement agency for inspection upon request at any reasonable time.

SECTION IV. AUTOMOBILE PAWNBROKING

This Ordinance shall not apply to the pawnbroking of automobiles.

SECTION V. SEVERABILITY

If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance or its application to other persons or circumstances.

SECTION VI. INCONSISTENT ORDINANCES.

All other ordinances or portions thereof that are inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

SECTION VII. PENALTIES

Any person who violates the provisions of this Ordinance shall be subject to the penalties authorized pursuant to § 30-15-402, C.R.S., and upon conviction thereof, shall be punished by a fine of not more than six hundred dollars (\$600) for each separate violation. In addition, persons convicted of a violation of this Ordinance are subject to a surcharge of ten dollars (\$10). These surcharges shall be paid to the clerk of the court by the defendant. Each clerk shall transmit the moneys to the Adams County Court Administrator for credit to the victims and witness assistance and law enforcement fund in Adams County pursuant to §24-4.2-103, C.R.S. Court costs, if any, shall be payable directly to the Court.

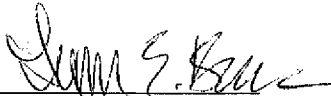
SECTION VIII. SAFETY CLAUSE

The Board of County Commissioners hereby finds, determines, and declares that this Ordinance is necessary for the preservation of public health, safety, and welfare.

SECTION IX. EFFECTIVE DATE.

This Ordinance shall take effect on February 25, 2022.

Adopted this 25th day of January, 2022.

A handwritten signature in black ink, appearing to read "Lynn S. Baca", written over a horizontal line.

Lynn Baca, Chair
Board of County Commissioners
Adams County, Colorado

Upon motion duly made and seconded the foregoing Ordinance was adopted by the following vote:

Henry _____ Aye
Tedesco _____ Aye
Pinter _____ Aye
O'Dorisio _____ Aye
Baca _____ Aye
Commissioners

CERTIFICATE OF ATTESTATION

STATE OF COLORADO)
County of Adams)

I, Josh Zygielbaum, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

The foregoing text is the authentic text of Adams County Ordinance No. 10. The first reading of said Ordinance took place on January 11, 2022 at a regular Board of County Commissioners meeting. It was published in full in a newspaper of general circulation at least ten days before its adoption; to wit, in the Thornton/Northglenn Sentinel and the Westminster Window on January 13, 2022. The Ordinance was adopted on second reading at a regular Board of County Commissioners meeting on January 25, 2022, and shall become effective on February 25, 2022.

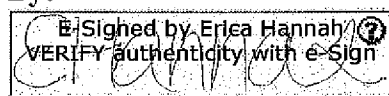
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 25th day of January, 2022.

County Clerk and ex-officio Clerk of the Board of County Commissioners
Josh Zygielbaum:

Josh Zygielbaum:



By:



Deputy

**ORDINANCE NO. 11 CONCERNING ILLICIT DISCHARGES TO THE PUBLIC STORM
DRAINAGE SYSTEM OR WATERS OF THE STATE OF COLORADO WITHIN
UNINCORPORATED ADAMS COUNTY**

Resolution 2017-471

WHEREAS, Adams County ("County") is required by state and federal law, and as a condition of its State of Colorado Municipal Separate Storm Sewer System discharge permit, to establish by Ordinance methods for controlling the introduction of pollutants into the storm drainage system, in order to protect and enhance the water quality of the state's watercourses, water bodies and wetlands in a manner pursuant to and consistent with the provisions of the Federal Water Pollution Control Act, 33 U.S.C. 1251 *et seq.*, as amended, the Colorado Water Quality Control Act, § 25-8-101 *et seq.*, C.R.S., as amended; and,

WHEREAS, the County is empowered by § 30-15-401(11), C.R.S., to adopt a stormwater ordinance to develop, implement, and enforce the stormwater management program required by its Municipal Separate Storm Sewer System ("MS4") Permit; and,

WHEREAS, §18-4-511, C.R.S., makes it a crime to place any pollutant whether solid or liquid into any body of water or watercourse; and,

WHEREAS, Colorado law empowers the Board of County Commissioners ("Board") to do all acts and make all regulations regarding health, safety, and welfare issues as prescribed by law, including the authority to restrain, fine, and punish persons for polluting the environment, dumping trash, junk and garbage, discharging construction site waste and tracking sediment on public or private property that drains to the storm drainage system or watercourses; and,

WHEREAS, §16-13-305(1)(e), C.R.S., makes any unlawful pollution or contamination of any surface or subsurface waters in this state a Class 3 public nuisance; and,

WHEREAS, the Board wishes to repeal the previous version of Ordinance No. 11 adopted on March 14, 2012, and, simultaneous with this repeal, to adopt this current version of Ordinance No. 11; and,

WHEREAS, the Board wishes to comply with federal and state laws in order to protect the health, safety, and general welfare of the citizens of Adams County through the regulation of non-stormwater discharges to the storm drainage system.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of the County of Adams, State of Colorado, that the March 14, 2012 version of Ordinance No. 11 is repealed, and the Board hereby enacts Ordinance No. 11, Concerning Illicit Discharges to the Public Storm Drainage System or Waters of the State of Colorado Within Unincorporated Adams County, as more fully set forth below, for the protection of the environment and public health and safety, because introducing pollutants to stormwater constitutes a threat to the environment and citizens of Adams County.

SECTION 1. PURPOSE AND INTENT

The objectives of this Ordinance are:

To prevent, regulate, and remedy the release of pollutants to the MS4 within unincorporated Adams County from stormwater discharges;

To prohibit illicit connections and illicit discharges to the MS4;

To establish procedures through inspections and enforcement in order to detect, trace and eliminate illicit discharges necessary to ensure compliance with this Ordinance and the County's MS4 permit; and,

To promote public awareness of the hazards involved from the improper discharge of trash, yard waste, lawn chemicals, pet waste, wastewater, grease, oil, antifreeze, petroleum products, cleaning products, paint products, hazardous waste, sediment and all other pollutants into the MS4.

SECTION 2. DEFINITIONS

For the purposes of this Ordinance, the following shall mean:

"Authorized enforcement agency" means Adams County Public Works, unless specified otherwise.

"Best Management Practices (BMPs)" means a technique, process, activity, schedule of activities, control measures, structures, prohibitions of practices, maintenance procedures, and other management practices utilized to prevent, reduce, or eliminate pollution or degradation of Waters of the State to the maximum extent practicable based on available technology and economically practicable solutions that are achievable in light of best industry practices. BMPs can be structural (engineered structures designed to treat runoff) or non-structural (source control practices). BMPs can also be temporary or permanent. Examples include, but are not limited to, silt fence, erosion blankets, extended detention basins, operation and maintenance procedures, and practices to control: site runoff, spills, sludge or waste disposal, and drainage from raw material storage. BMPs must be selected for the specific activity and applicable pollutant source, must be designed, installed, and implemented prior to the start of the activity, must control potential pollutants, and must be maintained in effective operating condition in accordance with good engineering, hydrologic, and pollution control practices.

"Construction activity" means any ground surface land disturbing activity associated with construction that occurs from initial ground breaking to final stabilization, regardless of ownership of the construction activities. Construction activities include, but are not limited to; clearing, grading, excavation, demolition, utility work, paving, building, stockpiling of fill materials, and installation of new or improved roads and access roads, haul roads, staging areas, and borrow areas. Construction activities also include repaving activities where underlying or surrounding soil is exposed, grading or excavating as part of the repaving operation, and activities to conduct repairs or replacements that are not part of regular and routine maintenance. A construction activity does not include routine maintenance performed to maintain original line grade, hydraulic capacity, or the original purpose of the facility.

"Colorado Discharge Permit System" (CDPS) means the State of Colorado's system of permitting discharges (e.g., stormwater, wastewater) to Waters of the State, which corresponds to the federal National Pollutant Discharge Elimination System (NPDES) permits under the federal Clean Water Act.

"Department" means Adams County Public Works, unless otherwise specified.

“Director” means the Director of Public Works, unless otherwise specified.

“Erosion and Sediment Control Plan (ESCP)” may also be known as “Stormwater Management Plan” (SWMP) by the State of Colorado or “Stormwater Pollution Prevention Plan” (SWPPP) for construction activities by the United States Environmental Protection Agency (EPA). The ESCP is a detailed written plan required by the Adams County Development Standards and Regulations in order to obtain a Stormwater Quality Permit. The ESCP identifies measures that will be implemented to control erosion, prevent sediment from traveling outside the construction site’s permitted area, and minimize the discharge of pollutants in stormwater from the commencement of construction activities until Final Stabilization is achieved.

“Hazardous Material/Waste” means any material, substance, waste, or combination thereof, which because of its quantity, concentration, physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

“Illicit/illegal discharge” means any direct or indirect non-stormwater discharge to the storm drainage system as defined in Section 5 of this Ordinance, Discharge Prohibitions, Exemptions and Requirements.

“Illicit connection” means either of the following:

- a. Any drain or conveyance, whether on the surface or subsurface, that allows an illicit discharge to enter the storm drainage system, including but not limited to, any conveyance that allows any non-stormwater discharge such as sewage, process wastewater, and wash water to enter the storm drainage system, and any connection to the storm drainage system from indoor drains, contaminated sump pump discharge and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency; or
- b. Any drain or conveyance connected from a commercial or industrial land use to the storm drainage system that has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

“Municipal Separate Storm Sewer System (MS4)” also referred to as a storm drainage system, means a public conveyance or system of conveyances owned by the County, which discharge to Waters of the State, and is designed or used for collecting or conveying stormwater. The MS4 is not a combined sewer, and is not part of a Publicly Owned Treatment Works (POTW). Examples include, but are not limited to, roads with drainage systems, roadside ditches, curbs, gutters, ditches, man-made channels, catch basins, municipal streets, storm drainage facilities (detention or retention ponds), storm sewer infrastructure (pipes, manholes, culverts, inlets/drains), and conveyances that are owned or operated by the County through agreement, contract, direct ownership, easement or right-of-way and are for the purpose of managing floodplains, stream banks and channels.

“National Pollutant Discharge Elimination System (NPDES) Discharge Permit” means a permit issued by the Environmental Protection Agency (or by the State under authority delegated pursuant to 33 USC § 1342(b), in the form of the Colorado Discharge Permit System - CDPS) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

“Non-Stormwater discharge” means any discharge to the storm drainage system that is not composed entirely of stormwater.

“Notice of Violation (NOV)” means an administrative order directing a person or entity to comply with the provisions of this Ordinance. Such order may include a compliance schedule directing specific actions to be completed by the person or entity within a specific follow-up inspection time period.

“Notice of Violation, Compliance Schedule” means an enforceable schedule included in the Notice of Violation specifying a date or dates by which the Director must re-inspect to ensure compliance with a standard, requirement, prohibition or limitation.

“Person” means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

“Pollutant” means anything that causes or contributes to pollution. Pollutants may include, but are not limited to: any dredged spoil, dirt, slurry, solid waste, incinerator residue, sewage, sewage sludge, sediment, trash, chemical waste, biological nutrient, biological material, radioactive material, heat, wrecked or discharged equipment, rock, sand, or any industrial, municipal or agriculture waste, paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes; yard wastes including grass clippings and leaves; refuse, rubbish, garbage, litter, or other discarded or abandoned objects; accumulations that may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; pet wastes; wastes and residues that result from constructing a building or structure, concrete washout waste; wastes and residues that result from mobile washing operations; noxious or offensive matter of any kind; and any soil, mulch, rock, or other type of landscaping material.

“Pollution” is a man-made, man-induced, or natural alteration of the physical, chemical, biological and radiological integrity of water. Pollution includes the presence of any foreign substance (organic or inorganic) in water or wastewater that in sufficient concentration tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree that may not create an actual hazard to the public health but that does adversely and unreasonably affect such waters for their designated use.

“Potable water” means any water that, according to recognized standards, is safe for human consumption.

“Premises” means any building, lot, parcel of land, or portion of land whether improved or unimproved, including adjacent sidewalks and parking strips.

“Stormwater” means precipitation-induced surface runoff. Stormwater is any surface flow, runoff, or drainage occurring during or following any form of natural precipitation event resulting from, and consisting entirely of, water from natural precipitation events.

“Stormwater Quality (SWQ) Permit” means a permit issued by the County for certain construction sites. The SWQ Permit, when required by the County's Development Standards and Regulations, is in addition to, and does not replace the State CDPS Stormwater Discharge Permit for Construction Activities.

“Threatened illicit discharge” means a condition creating a substantial probability of harm, when the probability and potential extent of harm make it reasonably necessary to take immediate action to prevent, reduce or mitigate damages to persons, property or natural resources. Examples of threatened illicit discharges include, but are not limited to:

- 1) Pollutants placed outdoors without secondary containment are considered to be threatening discharges unless they are actively being collected and properly disposed of.
- 2) Lack of installation or maintenance of construction BMPs.
- 3) Lack of maintenance of post-construction BMPs.

“Total Maximum Daily Load (TMDL)” is a calculation of the maximum amount of a pollutant that a body of water can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes Waste Load Allocations (WLAs), Load Allocations (LAs), and must include a margin of safety (MOS), and account for seasonal variations. (Refer to Section 303(d) of the Clean Water Act and 40 C.F.R. 130.2 and 130.7).

“Watercourse” means a natural or artificial channel through which stormwater or surface waters can flow, either regularly or infrequently.

“Waters of the State of Colorado (Waters of the State)” means any and all surface and subsurface waters that are contained in or flow in or through the State of Colorado, including, but not limited to, streams, lakes, rivers, ponds, wells, impounding reservoirs, watercourses, water courses that are usually dry, springs, drainage systems, and irrigation systems, all sources of water such as snow, ice, and glaciers; and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, located wholly or partially within or bordering upon this state and within the jurisdiction of this state. This does not include waters in sewerage systems, waters in treatment works of disposal systems, waters in potable water distribution systems, and all water withdrawn for use, until use and treatment have been completed.

SECTION 3. APPLICABILITY

This Ordinance shall apply to anything that is not rainwater that enters, or that may enter unincorporated Adams County's storm drainage system, unless explicitly exempted by this Ordinance. The standards set forth herein and promulgated pursuant to this Ordinance are minimum standards; therefore, this Ordinance does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

SECTION 4. RESPONSIBILITY FOR ADMINISTRATION

- A. The Director or Director's designee shall administer, implement and perform inspections for the enforcement of this Ordinance and may inspect within unincorporated Adams County for causes of violations of this Ordinance. The Director, the Stormwater Coordinator, or any other County personnel designated by the Director may enforce this Ordinance and issue citations or summonses for violations of this Ordinance.
- B. Any powers granted or duties imposed upon the Department may be delegated in writing by the Director acting for and on behalf of the County.

SECTION 5. DISCHARGE PROHIBITIONS, EXEMPTIONS AND REQUIREMENTS

A. Prohibition of Illicit Discharges

- 1) No person shall discharge or cause to be discharged into the storm drainage system or watercourses any pollutants or waters containing any pollutants that cause or contribute to a violation of applicable Water Quality Standards, or Total Maximum Daily Load (TMDL), other than stormwater.
- 2) It shall be unlawful to cause pollutants to be deposited in such a manner or location as to constitute a threatened illicit discharge into the storm drainage system or Waters of the State.

B. Prohibition of Illicit Connections

- 1) The construction, use, maintenance or continued existence of illicit connections to the storm drainage system is prohibited.
- 2) This prohibition expressly includes, without limitation, illicit connections made prior the effective date of this Ordinance, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

C. Exemptions

The commencement, conduct or continuance of any illicit discharge to the storm drainage system is prohibited except as described as follows:

- 1) The following non-stormwater discharges are exempt from the discharge prohibitions established by this Ordinance when managed according to County regulations:
 - a. Discharges from potable water sources, including waterline flushing, in accordance with CDPHE Water Quality Control Division's Low Risk Policy Discharge Guidance for Potable Water as amended. Potable water shall not be used in any other additional process such as, but not limited to, any type of washing, heat exchange, manufacturing, or hydrostatic testing of pipelines not associated with treated water distribution systems;
 - b. Uncontaminated pumped groundwater, not including construction dewatering systems;
 - c. Landscape irrigation and lawn watering;
 - d. Irrigation return flow;
 - e. Springs;
 - f. Rising groundwater;
 - g. Air conditioning condensation;
 - h. Uncontaminated water from crawl space pumps;
 - i. Individual residential car washing;
 - j. Foundation drains;
 - k. Roof drains;
 - l. Footing drains;
 - m. Dechlorinated swimming pool discharges in accordance with CDPHE Water Quality Control Division's Low Risk Policy Discharge Guidance: Swimming Pools;
 - n. Diverted stream flows;
 - o. Dye testing, in accordance with the manufacturer's recommendations and provided that notification is given to the Director prior to the test;
 - p. Flow from natural riparian habitats and wetlands;
 - q. Uncontaminated groundwater infiltration (not including construction dewatering systems);
 - r. Water incidental to street sweeping (including associated sidewalks and medians) not associated with construction;
 - s. Discharges resulting from emergency fire fighting activities;
 - t. Emergency utility repairs and emergency situations that pose imminent threat to life or property; and,
 - u. Discharges that are in accordance with the CDPHE Water Quality Control Division's Low Risk Policy Discharge Guidance documents or other policies and guidance documents where the Division has stated that it will not pursue permit coverage or enforcement for specified point source discharges.
- 2) Agricultural stormwater run-off or irrigation discharges

- 3) Permitted discharges with an NPDES or CDPS permit, waiver or waste discharge order issued to the discharger and administered under the authority of the Environmental Protection Agency or Colorado Department of Public Health and Environment as being necessary to protect public health and safety, provided that the discharger is in full compliance with all requirements of the permit, waiver or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drainage system.

D. Watercourse Protection

Every person owning, leasing or otherwise occupying property through which a watercourse passes shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, animal waste excluding agricultural practices specifically exempted in Section 5.C.2, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner, lessee or tenant shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

SECTION 6. SUSPENSION OF MS4 ACCESS

Suspension Order Due to Illicit Discharges in Emergency Situations

The Director may inspect, and without prior notice, issue an order to suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge that presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or State Waters. If the violator fails to comply with a suspension order issued in an emergency, the Director may take such steps as deemed necessary to eliminate, prevent or minimize damage to the MS4, Waters of the State, or the public.

Suspension Order Due to Non-Compliance, Non-emergency Situations

Any person discharging to the MS4 in violation of this Ordinance may have its MS4 access suspended or terminated if such suspension or termination would abate or reduce an illicit discharge. The Director shall notify a violator of the proposed suspension or termination of its MS4 access. A person commits a violation of this Ordinance if the person reinstates MS4 access to premises terminated without the prior approval of the Director.

SECTION 7. PERMIT COMPLIANCE

Any person subject to a mining, landfill, industrial or construction activity that holds a Federal NPDES, State CDPS or County Stormwater Quality (SWQ) Permit for stormwater discharges shall comply with all provisions of the applicable permit. Proof of compliance with applicable permits is required in a form acceptable to the Director upon request.

SECTION 8. ACCESS AND INSPECTION OF PROPERTIES AND FACILITIES

Applicability

Inspection access for purposes of enforcing this Ordinance shall apply to all properties located within unincorporated Adams County.

Access

The Director, the Stormwater Coordinator, and/or the Director's designee shall be allowed to enter and inspect properties and facilities subject to the regulations of this Ordinance as often as may be necessary to determine compliance with this Ordinance. If security measures are in force requiring proper

identification and clearance before entry into a premise, the necessary arrangements shall be made to allow access to the Director, the Stormwater Coordinator, and/or the Director's designee.

Property owners and/or facility operators; including all Federal NPDES, State CDPS or County SWQ Permit holders, shall allow the Director, the Stormwater Coordinator, or the Director's designee access to all parts of the premises for the purposes of inspection, sampling, performing an examination and any additional duties the Director determines are necessary to ensure compliance with this Ordinance, including providing copies of records that must be kept under the conditions of a NPDES, CDPS and/or Adams County SWQ Permit.

The Director shall have the right to install on public or private property monitoring or sampling devices that are necessary, in the opinion of the Director, to conduct monitoring and/or sampling of the property or facility's stormwater discharge.

The Director may require the placement or installation of monitoring or sampling equipment as the Director deems necessary. The property or facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition at the operator, owner, lessee, or tenant expense. All devices used to measure stormwater flow and quality shall be calibrated by the operator, owner, lessee, or tenant to ensure their accuracy and evidence thereof shall be provided to the Director upon request.

Any temporary or permanent obstruction to safe and easy access to the premises shall be promptly removed by the operator, owner, lessee, or tenant at the request of the Director and shall not be replaced. The costs of clearing such access shall be borne solely and completely by the property/facility operator, owner, lessee, or tenant.

Unreasonable delay in allowing the Director, Stormwater Coordinator, and/or Director's designee access to a property or facility is a violation of this Ordinance. If the Director, Stormwater Coordinator, and/or Director's designee has been denied access to any part of the premises from which stormwater is discharged, and the Director and/or Director's designee is able to demonstrate probable cause to believe that there may be a violation of this Ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this Ordinance or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the Director may seek issuance of an administrative entry and seizure warrant from any court of competent jurisdiction.

SECTION 9. PREVENTION, CONTROL, AND REDUCTION OF STORMWATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES

The Director may provide for and compel the abatement of any condition that causes or contributes to a violation of this Ordinance or Adams County Development Standards and Regulations pertaining to stormwater. The Director may require Best Management Practices for any activity that may cause or contribute to pollution or contamination of stormwater, the storm drainage system, or Waters of the State.

The owner, operator, lessee, or tenant, at its own expense, shall provide reasonable protection from accidental or intentional discharge of prohibited materials or other wastes into the storm drainage system or watercourses through the use of structural and non-structural, temporary and permanent BMPs. Further, any person responsible for a property or premises which is, or may be, the source of an illicit discharge may be required, at its own expense, to properly clean up the pollutant and implement additional temporary and/or permanent, structural and/or non-structural BMPs to prevent further discharge of pollutants to the storm drainage system. These BMPs, when applicable, shall be part of an

Erosion and Sediment Control Plan (ESCP) and/or Stormwater Management Plan (SWMP) as necessary for compliance with the requirements of the County's Development Standards and Regulations pertaining to stormwater and/or the State's CDPS stormwater discharge permit related to construction activities, including the property owner's Operation & Maintenance Manual for permanent post-construction BMP maintenance.

SECTION 10. NOTIFICATION OF SPILLS

Notwithstanding other requirements of law, as soon as any person responsible for a property or premises, or responsible for emergency response for such premises, has information of any known or suspected release of materials that is resulting, or may result, in an illicit discharge into the storm drainage system, the MS4, or Waters of the State, that person shall take all necessary steps to ensure the discovery, containment, and cleanup of the known or suspected release. In the event of a release of hazardous material or hazardous waste, emergency response agencies shall be immediately notified of the occurrence via emergency dispatch services. In the event of a release of hazardous or non-hazardous material/waste, the Director shall be notified immediately of the discovery of the illicit discharge, but no later than the next business day.

SECTION 11. ABATEMENT OF ILLICIT DISCHARGE(S)

In addition to any other remedies available, when the Director determines that a violation of this Ordinance or the County's Development Standards and Regulations pertaining to stormwater exists at a property, the violation(s) shall be remedied or abated pursuant to the following procedures:

- A. Notice of Violation. Where there is a violation of this Ordinance or the County's Development Standards and Regulations pertaining to stormwater, and the property owner, operator, lessee or tenant fails to cure said violation, the County may issue a Notice of Violation by mail or by personal delivery to the property owner of record as shown in the records of the County Assessor. A copy of the same notice shall be sent to the "occupant" of the property if the property address and the owner's mailing address differ. Said notice(s) shall advise the recipient of the following:
 - 1) the nature of the violation,
 - 2) a demand that the violation be abated immediately, which shall be presumed to be within 10 days of the date of the notice,
 - 3) that if the cause(s) of violation is not abated and/or restoration of the affected property is not completed by the established deadline, the Director may apply without further notice for an administrative entry and seizure warrant from the appropriate court to enter the property for the abatement of the cause(s) of the violation and the costs of the abatement may become a lien against the property from which the cause(s) of violation has been abated.
 - 4) Additionally, such Notice of Violation may require without limitation:
 - a. The performance of monitoring, analysis and reporting;
 - b. The elimination or removal of the illicit discharge or connection;
 - c. That violating discharges, practices or operations cease immediately;
 - d. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
 - e. Reimbursement of costs incurred by the County for remediating the violation;
 - and,
 - f. The implementation of source control, monitoring and/or treatment BMPs.

- B. Warrant. In the event that the recipient(s) of the Notice of Violation referred to in Section 11.A., fails to abate the violation by the prescribed deadline, then the Director may apply for an administrative entry and seizure warrant by affidavit from the appropriate court. The warrant may allow the County, or the County's contracted company, to enter the property and perform the work needed to abate said violation. To apply for an administrative entry and seizure warrant, the Director shall present to the appropriate court the following documentation:
- 1) Copy of this Ordinance,
 - 2) Sworn or affirmed affidavit stating the factual basis for such warrant,
 - 3) Evidence that the property owner has received notice of the violation and has failed to abate the violation within the reasonable prescribed period set forth in the notice of violation,
 - 4) General description of the location of the property that is the subject of the warrant, and
 - 5) General list of corrective actions needed.
- C. Execution of Warrant. Within ten (10) days following the date of the issuance of the administrative warrant, the Director shall:
- 1) Execute such warrant in accordance with the directions of the issuing court,
 - 2) Provide or mail a copy of such warrant to the property owner, and
 - 3) Submit proof of the execution of such warrant, including a written inventory of any property impounded, to the Court.
- D. Nothing in this Ordinance shall be construed as limiting the County's ability to abate without a warrant a violation of this Ordinance or the County's Development Standards and Regulations pertaining to stormwater where such abatement occurs within the public right-of-way, County owned property, or private property upon which the County holds an easement.

SECTION 12. ASSESSMENT AND COLLECTION OF COSTS

- A. Invoice. When the County performs an abatement pursuant to the terms of this Ordinance the whole cost of the abatement, including five percent for inspection and other incidental costs in connection therewith, shall become an assessment upon the property from which such condition has been abated or remediated. The County shall keep a written record of all such costs and shall send a written invoice of said costs to the property owner. The invoice must be paid within 60 days of issuance.
- B. Certification to Treasurer's Office/Lien. In case such assessment is not paid within 60 days of invoice issuance, the amount may be recorded as a lien against the property upon which the abatement occurred and/or may be certified by the County Clerk and Recorder to the County Treasurer, who shall collect the assessment, together with a ten percent penalty for the cost of collection, in the same manner as other property taxes are collected. The laws of Colorado applicable to assessment and collection of general taxes, including the laws for the sale and redemption of property for taxes, shall apply to the collections of assessments pursuant to this Ordinance.

SECTION 13. VIOLATIONS, ENFORCEMENT AND PENALTIES

Criminal Prosecution

Any person that has violated or continues to violate this Ordinance may be subject to criminal prosecution, including criminal penalties authorized pursuant to § 30-15-402, C.R.S., as amended. Each day a property is in violation of this Ordinance shall constitute a separate violation. The procedure set forth in § 16-2-201, C.R.S., as amended, may be followed by the arresting officer.

Pursuant to § 30-15-402, C.R.S., there shall be a graduated fine schedule for repeat offenses by the same individual, as follows:

Second offense: minimum fine of \$500 per day of offense.

Third and subsequent offenses: minimum fine of \$750 per day of offense.

Violations Deemed a Public Nuisance

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this Ordinance is a threat to public or environmental health, safety, and welfare, and is declared and deemed a nuisance, and the County may pursue its public nuisance remedies against the property owner.

Remedies Not Exclusive

The remedies listed in this Ordinance are not exclusive of any other remedies available under any applicable federal, state or local law, and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

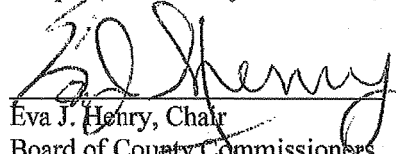
SECTION 14. SEVERABILITY

If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 15. EFFECTIVE DATE

This amended ordinance shall take effect thirty (30) days after the final publication of its adoption by the Board.

Adopted this 10th day of October, 2017.



Eva J. Henry, Chair
Board of County Commissioners
Adams County, Colorado

Upon motion duly made and seconded the foregoing Ordinance was adopted by the following vote:

Henry	_____	Aye
Tedesco	_____	Aye
O'Dorisio	_____	Aye
Hansen	_____	Aye
Hodge	_____	Aye
Commissioners		

CERTIFICATE OF ATTESTATION

STATE OF COLORADO)
County of Adams)

I, Stan Martin, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for Adams County, Colorado do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

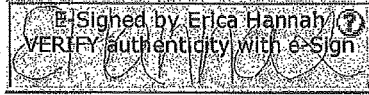
The foregoing text is the authentic text of Adams County Ordinance No. 11. The first reading of said Ordinance took place on September 12, 2017, at a regular Board of County Commissioners meeting. It was published in full in a newspaper of general circulation at least ten days before its adoption; to wit, in The Denver Post on September 17, 2017. The Ordinance was adopted on second reading at a regular Board of County Commissioners meeting on October 10, 2017, and shall become effective on November 13, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 10th day of October, 2017.

County Clerk and ex-officio Clerk of the Board of County Commissioners
Stan Martin:



By:



Deputy

ORDINANCE NO. 12

AN ORDINANCE RE-ENACTING AND RE-ADOPTING THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODES AND THE 2017 EDITION OF THE NATIONAL ELECTRICAL CODE WITH AMENDMENTS THERETO

Resolution 2022-092

WHEREAS, on December 14, 2018, the Board of County Commissioners adopted the 2018 Edition of the International Building Codes and the 2017 Edition of the National Electrical Code and applied it countywide; and,

WHEREAS, the Adams County Building Safety Division is recommending that the Board of County Commissioners re-enact and re-adopt a county building code modeled upon the building safety standards contained in the 2018 editions of the International Building Codes, which include the 2018 International Building Code, 2018 International Residential Code, 2018 International Plumbing Code, 2018 International Mechanical Code, 2018 International Fuel Gas Code, 2018 edition of the International Energy Conservation Code, 2018 International Swimming Pool and Spa Code, 2018 International Property Maintenance Code, and 2018 International Existing Building Code, to incorporate certain amendments required by the revisions SB 21-271 made to § 30-28-209, C.R.S.; and,

WHEREAS, pursuant to § 30-28-201 et seq., C.R.S., the Adams County Board of County Commissioners is authorized to adopt ordinances and a building code consistent with the Uniform Building Code, 1988 edition, as promulgated by the International Conference of Building Officials; and,

WHEREAS, the 2018 Edition of the International Building Codes and the 2017 National Electrical Code are consistent with the Uniform Building Codes, 1988 edition, as promulgated by the International Code Council and the National Fire Protection Association.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners, County of Adams, State of Colorado, that Ordinance No. 12, the 2018 Edition of the International Building Codes and the 2017 Edition of the National Electrical Code, with certain amendments thereto, the full text of which is available at the Adams County Building Safety Division, and which is fully incorporated herein by this reference, be re-enacted and re-adopted.

BE IT FURTHER ORDAINED by the Board of County Commissioners, County of Adams, State of Colorado, that:

Section 1. ADOPTION

The Board of County Commissioners of Adams County hereby adopts, by reference, the International Building Codes, 2018 editions, and the National Electrical Code, 2017 edition, with amendments and definitions as described in Section 4, including the following appendices: Appendix C, Group U Agriculture Buildings, and Appendix I, Patio Covers, from the 2018 International Building Code; Appendix A, Sizing and Capacities of Gas Piping, Appendix E, Manufactured Housing Used as Dwellings, Appendix F Radon Control Methods, Appendix H, Patio Covers, Appendix L, Permit Fees, and Appendix M, Home Daycare R-3 occupancies, from the 2018 International Residential Code.

Section 2. CODE DESCRIBED

The International Building Codes, 2018 editions, are published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, Illinois.

The National Electrical Code, 2017 edition, as published by the National Fire Protection Association, One Batterymarch Park, Quincy, Massachusetts.

Section 3. APPLICABILITY

Pursuant to § 30-28-201, et seq., C.R.S., this Ordinance shall apply to all of the unincorporated areas of Adams County and shall not be embraced within the limits of any incorporated city or town, unless such city or town elects to have such provisions apply. The provisions of this Ordinance shall not overrule or otherwise restrict the authority of the Board of County Commissioners or any other applicable official of Adams County in authorizing land uses or otherwise acting under the authority of any other adopted codes or regulations of Adams County, or enforcing the provisions thereof.

Section 4. AMENDMENTS

(1) The following definitions shall be adopted and apply to all Adams County building codes:

Abandon or abandoned means the desertion of a building, structure or utility and when all utilities are disconnected and/or the building, structure or utility is left to the mercy of vandalism, dilapidation and deterioration and creates a fire hazard, an unsafe condition or a nuisance.

Authority having Jurisdiction [AHJ] means Adams County, or Adams County Building Safety Division.

Attached means if connected to the principal building or structure, not less than fifty percent of the applicable wall shall be common.

Building Department means one and the same in all respects as the Building Safety Division as used in this chapter and elsewhere in County communications and documents, and the two phrases shall be used interchangeably.

Building Permit means the official County document authorizing construction activity under the primary and secondary codes.

Dangerous Building Code when used herein refers to the latest edition of the Property Maintenance Code as published by the International Code Council.

Deterioration, as applied to buildings, structures, equipment and materials, includes corrosion, decay, wear and tear through abuse, obsolescence, effects of the elements, fire damage, lack of maintenance or by any other cause and also includes fatigue due to overstressing, disintegration of the component parts of a building, structure and equipment and the separation of materials and structural parts.

Health Department means the Tri-County Health Department designated as the County's health department.

Homeowner shall mean the individual shown as having record title of any building or structure as shown in the official records of the Adams County Clerk and Recorder.

IBC means the latest edition of the International Building Code, as published by the International Code Council.

IEBC means the latest edition of the International Existing Building Code, as published by the International Code Council.

IECC means the latest edition of the International Energy Conservation Code, as published by the International Code Council.

IFC means the latest edition of the International Fire Code, as published by the International Code Council.

IFGC means the latest edition of the International Fuel Gas Code, as published by the International Code Council.

IMC means the latest edition of the International Mechanical Code, as published by the International Code Council.

IPC means the latest edition of the International Plumbing Code, as published by the International Code Council.

IRC means the latest edition of the International Residential Code, as published by the International Code Council.

ISPSC means the latest edition of the International Swimming Pool and Spa Code, as published by the International Code Council.

NEC means the latest edition of the National Electric Code, as published by the National Fire Protection Association.

IPMC means the latest edition of the International Property Maintenance Code, as published by the International Code Council.

Principle Residence shall mean, for an individual, the residence as determined by the address given by the individual and shall be the location where the individual(s) habitation is fixed and to which that individual, whenever absent, has the present intention of returning after departure or absence regardless of the duration of such absence. In determining Principle Residence, the following circumstances shall be considered: voter registration address, motor vehicle registration address (as applicable), and or the address given for state income tax purposes

(2) Amendments to the 2018 International Building Code

(a) CHAPTER 1 SCOPE AND ADMINISTRATION

101.1 Title. These regulations shall be known as the *Building Code of Adams County* [~~NAME OF JURISDICTION~~]; hereinafter referred to as “this code.”

105.2 Work exempt from Building Permit

Buildings/structures:

2. Fences not over 42” (1067 mm) 7 feet (2134 mm) high.

14. Replacement of asphalt shingles when over the aggregate roof area there is less than one square of replacement or repair.

(b) CHAPTER 9 FIRE PROTECTION AND LIFE SAFETY

903.2.8 Group R. An *automatic sprinkler system* installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R *fire area*.

Exceptions:

1. An automatic residential fire sprinkler system shall not be required for a Group R-3 fire area when in compliance with all of the following conditions:

1.2 The Group R-3 *fire area* does not exceed 3,600 square feet;

1.3 The Group R-3 dwelling is within 1,000 (304.8 m) feet of a hydrant having the required fire flow; and

1.4 The Group R-3 dwelling is on an approved *fire apparatus access road*.

2. An automatic residential fire sprinkler system shall not be required where *additions or alterations* are made to existing one- and two-family dwellings or *townhouses* that do not have an automatic residential fire sprinkler system installed in accordance with sections R313.1 and R313.2 and constructed under the International Residential Code.

3. An automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be provided throughout all Group R-2 occupancies that meet the Federal Fair Housing Act definition of senior housing or housing for older persons.

(c) CHAPTER 15 ROOF ASSEMBLIES AND ROOFTOP STRUCTURES

1511.1 General. Materials and methods of application used for recovering or replacing an existing roof covering shall comply with the requirements of Chapter 15.

Exceptions:

1. *Roof replacement or roof recover* of existing lowslope roof coverings shall not be required to meet the minimum design slope requirement of one-quarter unit vertical in 12 units horizontal (2-percent slope) in Section 1507 for roofs that provide positive roof drainage and have been evaluated by a registered design professional for the increase in loading due to potential ponding of water.

2. Recovering or replacing an existing roof covering shall not be required to meet the requirement for secondary (emergency overflow) drains or scuppers in Section 1503.4 for roofs that provide for positive roof drainage. For the purposes of this exception, existing secondary drainage or scupper systems required in accordance with this code shall not be removed unless they are replaced by secondary drains or scuppers designed and installed in accordance with Section 1503.4.

1511.1.1 Extent of replacement. When more than one square of asphalt shingles are required to be replaced over the aggregate area of any slope, the entire slope containing damaged shingles shall be replaced in its entirety. The interface of different types of shingles shall only occur at a ridge, hip or open valley.

1511.3.1 Roof recover. The installation of a new roof covering over an existing roof covering shall be permitted where any of the following conditions occur:

1. ~~Where the new roof covering is installed in accordance with the roof covering manufacturer's approved instructions.~~

2. Complete and separate roofing systems, such as standing-seam metal roof panel systems, that are designed to transmit the roof loads directly to the building's structural system and that do not rely on existing roofs and roof coverings for support, shall not require the removal of existing roof coverings.

3. Metal panel, metal shingle and concrete and clay tile roof coverings shall be permitted to be installed over existing wood shake roofs when applied in accordance with Section 1511.4.

4. The application of a new protective roof coating over an existing protective roof coating, metal roof panel, built-up roof, spray polyurethane foam roofing system, metal roof shingles, mineral-surfaced roll roofing, modified bitumen roofing or thermoset and thermoplastic single-ply roofing shall be permitted without tear off of existing roof coverings.

1511.3.1.1 Exceptions: A roof recover shall not be permitted where any of the following conditions occur:

1. ~~Where the existing roof or roof covering is water soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.~~

2. ~~Where the existing roof covering is wood shake, slate, clay, cement or asbestos cement tile.~~

3. ~~Where the existing roof has two or more than one application of any type of roof covering.~~

(c) CHAPTER 16 STRUCTURAL DESIGN

1608.1 General. Design snow loads shall be determined in accordance with Chapter 7 of ASCE 7, but the design roof load shall not be less than 30 pounds per square foot (2.787 m2) ~~or that determined by Section 1607.~~

1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in a report entitled "The Flood Insurance Study for Adams County and Incorporated Areas (Vol. 1, 2, 3) ~~[INSERT NAME OF JURISDICTION]~~ "dated February 17, 2017 ~~[INSERT DATE OF ISSUANCE]~~, as amended or revised with the accompanying Flood Insurance Rate Map FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

(d) CHAPTER 18 SOILS AND FOUNDATIONS

1809.5 Frost Protection. Except where otherwise protected from frost, foundations and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. Extending 6 inches (152 mm) below the frost line, ~~of the locality.~~
2. Constructing in accordance with ASCE 32.
3. Erecting on solid rock.

(3) Amendments to the 2018 International Residential Code

(a) CHAPTER 1 ADMINISTRATION

R101.1 Title. These provisions shall be known as the *Residential Code for One- and Two-family Dwellings* of Adams County ~~[NAME OF JURISDICTION]~~, and shall be cited as such and will be referred to herein as "this code."

R102.7 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this Code, the *International Existing Building Code and International Property Maintenance Code* or the *International Fire Code*, or as is deemed necessary by the *building official* for the general safety and welfare of the occupants and the public.

RI05.2 Work Exempt from Building Permit

Buildings/structures:

2. Fences not over 42" (1067 mm) 7 feet (2134 mm) high.
11. Replacement of asphalt shingle when over the aggregate roof area there is less than one square of repair or replacement.

(b) CHAPTER 3 BUILDING PLANNING

TABLE R301.2(1)
 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD ^a	WIND DESIGN				SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^g	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ⁱ	AIR FREEZING INDEX ^j	MEAN ANNUAL TEMP ^k
	Speed ^d (mph)	Topographic effects ^e	Special wind region ^l	Windborne debris zone ^m		Weathering ⁿ	Frost line depth ^o	Termite ^p					
30	115	NO	NO	NO	B	SEVERE	36"	Slight to Moderate	1	NO	2017	1500	50.2
MANUAL J DESIGN CRITERIA ^q													
Elevation		Latitude	Winter heating	Summer cooling	Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference					
5,220'		39.8666505 N	6	90	.82	70	75	64					
Cooling temperature difference		Wind velocity heating	Wind velocity cooling	Coincident wet bulb	Daily range	Winter humidity	Summer humidity						
15		15	7.5	60	H	30%	50%						

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in *townhouses*.

Exception: An automatic residential fire sprinkler system shall not be required where *additions* or *alterations* are made to existing *townhouses* that do not have an automatic residential fire sprinkler system installed.

R313.2 One- and two-family dwellings automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed one- and two-family *dwellings*.

Exceptions:

1. An automatic residential fire sprinkler system shall not be required for a one- and two family dwelling when in compliance with all of the following conditions:

1.2 The Group R-3 *fire area* does not exceed 3,600 square feet;

1.3 The one- and two family dwelling is within 1,000 (304.8 m) feet of a hydrant having the required fire flow; and

1.4 The one-and two family dwelling is on an approved *fire apparatus access road*.

2. An automatic residential fire sprinkler system shall not be required for *additions* or *alterations* to existing buildings that are not already provided with an automatic residential sprinkler system.

(c) **CHAPTER 4 FOUNDATIONS**

R403.1 General. All exterior walls shall be supported on continuous solid or fully grouted masonry or concrete footings, crushed stone footings, wood foundations, or other *approved* structural systems that shall be of sufficient design to accommodate all loads according to Section R301 and to transmit the resulting loads to the soil within the limitations as determined from the character of the soil. Footings shall be supported on undisturbed natural soils or engineered fill. Concrete footing shall be designed and constructed in accordance with the provisions of Section R403 or in accordance with ACI 332.

Exception: Pre-manufactured one-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet (18.58 m²) may be supported on skids incorporated into the floor system. These structures shall be anchored to the ground with approved materials to resist all applicable loads.

R403.1.4.1 Frost protection. Except where otherwise protected from frost, foundation walls, piers and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. Extended 6 inches (152 mm) below the frost line specified in Table R301.2.(1);

(d) CHAPTER 9 ROOF ASSEMBLIES

R905.2.4 Asphalt shingles. Asphalt shingles shall comply with ASTM D3462. Asphalt shingles shall be approved and carry a manufacturer's national wind warranty for the wind speed indicated in table R301.2 (1).

R908.1 General. Materials and methods of application used for re-covering or replacing an existing roof covering shall comply with the requirements of Chapter 9.

Exceptions:

1. Reroofing shall not be required to meet the minimum design slope requirement of one-quarter unit vertical in 12 units horizontal (2-percent slope) in Section R905 for roofs that provide positive roof drainage and have been evaluated by a registered design professional for the increase in loading due to potential ponding of water.
2. For roofs that provide positive drainage, re-covering or replacing an existing roof covering shall not require the secondary (emergency overflow) drains or scuppers of Section R903.4.1 to be added to an existing roof.

R908.3.1.1 Roof recover not allowed. A *roof recover* shall not be permitted where any of the following conditions occur:

1. ~~Where the existing roof or roof covering is water soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.~~
2. ~~Where the existing roof covering is slate, clay, cement or asbestos-cement tile.~~
3. Where the existing roof has ~~two or~~ more than one applications of any type of roof covering.

R908.3.1.1.2 Extent of replacement. When more than one square of asphalt shingles are required to be replaced over the aggregate area of any slope the entire slope containing damaged shingles shall be replaced in its entirety. The interface of different types of shingles shall only occur at a ridge, hip or open valley.

(e) CHAPTER 24 FUEL GAS

G2414.10.6 Welded joints. Welded joints shall be performed by a person holding a valid certificate of competency based on the requirements of the ANSI/ASME Boiler and Pressure

Vessel Code, Section IX, Brazing and Welding Qualifications. Welded joints shall comply with ASTM 139.

G2415.12 (404.12) Minimum burial depth. Underground *pipng systems* shall be installed a minimum depth of 12 inches (305 mm) below grade, except as provided for in Section G2415.12.1. Underground plastic piping systems shall be installed a minimum depth of 18 inches (457 mm) below grade.

G2417.4.1 (406.4.1) Test pressure. The test pressure to be used shall be not less than 1½ times the proposed maximum working pressure, but not less than ~~3~~ 20 psig (~~20~~ 30 kPa gauge), irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the *pipng* greater than 50 percent of the specified minimum yield strength of the pipe.

(f) **CHAPTER 25 PLUMBING ADMINISTRATION**

P2503.5.1 Rough plumbing. DWV systems shall be tested on completion of the rough piping installation by water or, ~~for piping systems other than plastic,~~ by air, without evidence of leakage. Either test shall be applied to the drainage system in its entirety or in sections after rough-in piping has been installed, as follows:

1. Water test. Each section shall be filled with water to a point not less than 5 feet (1524 mm) above the highest fitting connection in that section, or to the highest point in the completed system. Water shall be held in the section under test for a period of 15 minutes. The system shall prove leak free by visual inspection.
2. Air test. The portion under test shall be maintained at a gauge pressure of 5 pounds per square inch (psi) (34 kPa) or 10 inches of mercury column (34 kPa). This pressure shall be held without introduction of additional air for a period of 15 minutes.

~~**P2503.6 Shower liner test.** Where shower floors and receptors are made water tight by the application of materials required by Section P2709.2, the completed liner installation shall be tested. The pipe from the shower drain shall be plugged water tight for the test. The floor and receptor area shall be filled with potable water to a depth of not less than 2 inches (51 mm) measured at the threshold. Where a threshold of not less than 2 inches (51 mm) in height does not exist, a temporary threshold shall be constructed to retain the test water in the lined floor or receptor area to a level not less than 2 inches (51 mm) in depth measured at the threshold. The water shall be retained for a test period of not less than 15 minutes and there shall not be evidence of leakage.~~

P2503.7 Water-supply system testing. Upon completion of the water-supply system or a section of it, the system or portion completed shall be tested and proved tight under a water pressure of not less than the working pressure of the system or, ~~for piping systems other than plastic,~~ by an air test of not less than 50 psi (345 kPa). This pressure shall be held for not less than 15 minutes. The water used for tests shall be obtained from a potable water source.

Exception: For PEX piping systems, testing with a compressed gas shall be an alternative to hydrostatic testing where compressed air or other gas pressure testing is specifically authorized by the manufacturer's instructions for the PEX pipe and fittings products installed at the time the system is being tested, and compressed air or other gas testing is not otherwise prohibited by applicable codes, laws or regulations outside of this code.

~~P2503.8.2 Testing. Reduced pressure principle, double check, double check detector and pressure vacuum breaker backflow preventer assemblies shall be tested at the time of installation, immediately after repairs or relocation and every year thereafter.~~

(g) **CHAPTER 26 GENERAL PLUMBING REQUIREMENTS**

P2601.2 Connections to drainage system. Plumbing fixtures, drains, appurtenances and *appliances* used to receive or discharge liquid wastes or sewage shall be directly connected to the sanitary drainage system of the building or premises, in accordance with the requirements of this code. This section shall not be construed to prevent indirect waste connections where required by the code.

~~**Exception:** Bathtubs, showers, lavatories, clothes washers and laundry trays shall not be required to discharge to the sanitary drainage system where such fixtures discharge to systems complying with Sections P2910 and P2911.~~

P2603.3 Protection against corrosion. Metallic Piping, except for cast iron, ductile iron and galvanized steel, shall not be placed in direct contact with steel framing members, concrete or masonry. Metallic Piping shall not be placed in direct contact with corrosive soil. Where sheathing is used to prevent direct contact, the sheathing material thickness shall be not less than 0.008 inch (8 mil) (0.203 mm) and shall be made of plastic. Where sheathing protects piping that penetrates concrete or masonry walls or floors, the sheathing shall be installed in a manner that allows movement of the piping within the sheathing.

P2603.5 Freezing. In localities having a winter design temperature of 32°F (0°C) or lower as shown in Table R301.2 (1) of this code, a water, soil or waste pipe shall not be installed outside of a building, in exterior walls, in *attics* or crawl spaces, or in any other place subjected to freezing temperature unless adequate provision is made to protect it from freezing by insulation or heat or both. Water service pipe shall be installed not less than 48 inches (1219 mm) below finish grade 12 inches (305 mm) deep and not less than 6 inches (152 mm) below the frost line.

P2603.5.1 Sewer depth. ~~Building sewers that connect to private sewage disposal systems shall be a not less than [NUMBER] inches (mm) below finished grade at the point of septic tank connection.~~ Building sewers shall be not less than 12 [NUMBER] inches (305 mm) below grade.

(h) **CHAPTER 27 PLUMBING FIXTURES**

P2705.1 General. The installation of fixtures shall conform to the following:

1. Floor-outlet or floor-mounted fixtures shall be secured to the drainage connection and to the floor, where so designed, by screws, bolts, washers, nuts and similar fasteners of copper, copper alloy or other corrosion-resistant material.
2. Wall-hung fixtures shall be rigidly supported so that strain is not transmitted to the plumbing system.
3. Where fixtures come in contact with walls and floors, the contact area shall be water tight.
4. Plumbing fixtures shall be usable.
5. Water closets, lavatories and bidets. A water closet, lavatory or bidet shall not be set closer than 15 inches (381 mm) from its center to any side wall, partition or vanity or closer than 30 inches (762 mm) center-to-center between adjacent fixtures. There shall be a clearance of not less than 21 inches (533 mm) in front of a water closet, lavatory or bidet to any wall, fixture or door.
6. The location of piping, fixtures or equipment shall not interfere with the operation of windows or doors.

7. In flood hazard areas as established by Table R301.2 (1), plumbing fixtures shall be located or installed in accordance with Section R322.1.6.

8. Integral fixture-fitting mounting surfaces on manufactured plumbing fixtures or plumbing fixtures constructed on site, shall meet the design requirements of ASME A112.19.2/CSA B45.1 or ASME A112.19.3/CSA B45.4.

Exception: Lavatory clearance from its center to any sidewall or partition may be reduced to a minimum of 12 inches.

P2708.3 Water supply riser. Water supply risers from the shower valve to the shower head outlet, whether exposed or concealed, shall be attached to the structure using support devices designed for use with the specific piping material or fittings anchored with screws. The rough-in height shall be not less than 75 inches (1.905 mm) above the shower or tub drain.

P2708.6 Shower head location. Shower heads shall be so located on the sidewall of shower compartments or be arranged so the shower head does not discharge directly at the entrance to the compartment and the bather can adjust the valve prior to stepping into the shower spray.

P2717.2.1 Dishwasher drain. Dishwashers may drain into a standpipe complying with Section P2706.1.2. The standpipe shall be provided with an air break.

(i) **Part VIII- Electrical**

Delete chapters 34-43 (Electrical Provisions shall follow the NEC requirements)

(4) **Amendments to the 2012 International Plumbing Code**

(a) **CHAPTER 1 SCOPE AND ADMINISTRATION**

101.1 Title. These regulations shall be known as the *Plumbing Code* of Adams County [NAME OF JURISDICTION], hereinafter referred to as "this code."

(b) **CHAPTER 2 DEFINITIONS**

Trap drain. The portion of horizontal piping between the weir of a trap and the point where it intersects with the vent serving that same trap (trap arm).

(c) **CHAPTER 3 GENERAL REGULATIONS**

305.4 Freezing. Water, soil and waste pipes shall not be installed outside of a building, in attics or crawl spaces, concealed in outside walls, or in any other place subjected to freezing temperatures unless adequate provision is made to protect such pipes from freezing by insulation or heat or both. Exterior water supply system piping shall be installed not less than 48 inches (1219 mm) below finish grade. 6 inches (152 mm) below the frost line and not less than 12 inches (305 mm) below grade.

305.4.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be installed not less than [NUMBER] inches (mm) below finished grade at the point of septic tank connection. Building sewers shall be installed not less than 12 [NUMBER] inches (305 mm) below grade.

308.5 Interval of support. Pipe shall be supported in accordance with Table 308.5. Hanger support rods shall be sized in accordance with Table 308.5.1

Pipe and Tube Size	Rod Size
1/2" – 4"	3/8"
5" – 8"	1/2"
10" – 12"	5/8"

308.7.1 Location. For pipe sizes greater than 4 inches (102 mm), restraints shall be provided for drain pipes utilizing mechanical joints at all changes in direction and at all changes in diameter greater than two pipe sizes. Braces, blocks, rodding and other suitable methods as specified by the coupling manufacturer shall be utilized.

312.1 Required tests. The permit holder shall make the applicable tests prescribed in Sections 312.2 through 312.10 to determine compliance with the provisions of this code. The permit holder shall give reasonable advance notice to the code official when the plumbing work is ready for tests. The equipment, material, power and labor necessary for the inspection and test shall be furnished by the permit holder and the permit holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests. All plumbing system piping shall be tested with either water or, ~~for piping system other than plastic, by air.~~ After the plumbing fixtures have been set and their traps filled with water, the entire drainage system shall be submitted to final tests. The code official shall require the removal of any cleanouts if necessary to ascertain whether the pressure has reached all parts of the system.

312.3 Drainage and vent air test. ~~Plastic piping shall not be tested using air.~~ An air test shall be made by forcing air into the system until there is a uniform gauge pressure of 5 psi (35.4 kPa) or sufficient to balance a 10 inch (254 mm) column of mercury. This pressure shall be held for a test period of not less than 15 minutes. Any adjustments to the test pressure required because of changes in ambient temperature or the seating of gaskets shall be made prior to the beginning of the test period.

~~**312.9 Shower liner test.** Where shower floors and receptors are made water tight by the application of materials required by Section 421.5.2, the completed liner installation shall be tested. The pipe from the shower drain shall be plugged water tight for the test. The floor receptor area shall be filled with potable water to a depth of not less than 2" inch (51 mm) measured at the threshold. Where a threshold of 2 inches (51 mm) or higher does not exist, a temporary threshold shall be constructed to retain the test water in the lined floor or receptor area to a level not less than 2" (51 mm) deep measured at the threshold. The water shall be retained for a test period of not less than 15 minutes, and there shall not be evidence of leakage.~~

~~**312.10.1 Inspections.** Annual inspections shall be made of all backflow prevention assemblies and air gaps to determine whether the assemblies are operable and air gaps exist.~~

312.10.2 Testing. Reduced pressure principle, double check, pressure vacuum breaker, reduced pressure detector fire protection, double check detector fire protection, and spill-resistant vacuum breaker backflow preventer assemblies and hose connection backflow preventers shall be tested at the time of installation, immediately after repairs or relocation and at least annually by a certified cross connection control technician. The testing procedure shall be performed in its entirety in accordance with one of the following standards: ASSE 5013, ASSE 5015, ASSE 5020, ASSE 5047, ASSE 5048, ASSE 5052, ASSE 5056, CSA B64.10 or CSA B64.10.1.

(d) CHAPTER 4 FIXTURES, FAUCETS AND FIXTURE FITTINGS

403.1 Minimum number of fixtures. Plumbing fixtures shall be provided in the minimum number shown in Table 403.1, based on the actual use of the building or space. Uses not shown in Table 403.1 shall be considered individually by the code official. The number of occupants shall be determined by the International Building Code. Lavatories to water closet or urinal ratios in accordance with Table 403.1 shall be maintained in all restrooms.

405.3.2 Public Lavatories. In employee and public toilet rooms, the required lavatory shall be located in the same room as the required water closet.

Exception: In E occupancies, lavatories located outside a toilet room located within the classroom serving students from that classroom only shall be permitted. These toilet rooms and lavatories shall not count toward the total fixture count required by Table 403.1.

421.2 Water supply riser. Water supply risers from the shower valve to the shower head outlet, whether exposed or concealed, shall be attached to the structure. The attachment to the structure shall be made by the use of support devices designed for use with the specific piping material or by fittings anchored with screws. The rough-in height shall be not less than 75 inches (1,905 mm) above the shower or tub drain.

421.2.1 Shower head location. Shower heads shall be located on the sidewall of shower compartments or be arranged so the shower head does not discharge directly at the entrance to the compartment and the bather can adjust the valve prior to stepping into the shower spray.

421.2.1.2 Shower valve location. A shower or tub /shower control valve shall be installed only where the spout and/or shower head discharges into an approved tub or shower compartment.

Exception: Emergency showers.

425.3 Water closet seats. Water closets shall be equipped with seats of smooth, non absorbent material. Seats of water closets provided for public or employee toilet facilities shall be hinged open-front type. Integral water closet seats shall be of the same material as the fixture. Water closet seats shall be sized for the water closet bowl type.

Exception: Water closets installed in public restrooms for the purpose of complying with accessible fixtures as required by Section 404 fitted with the "AXS-Wingman Universal Design Water Closet Seat" having a closed front are permitted.

(e) CHAPTER 5 WATER HEATERS

504.6.1. Collection of Relief Valve Discharge. A means shall be provided to capture the discharge from a relief valve and convey it to the sanitary drainage system or exterior of the structure either by gravity or a pumped discharge.

Exceptions:

1. Replacements for existing water heaters.

2. Where a water sensing device wired to a normally closed solenoid valve installed in the water service piping is placed within the water heater drain pan.

504.6.1.1 Pumped discharge of relief valve collection. Pumps used to discharge the clear water collection of relief valves shall have an operating temperature equal to or exceeding that of the relief valve discharge temperature and shall have a gpm rating equal to or greater than the discharge of the relief valve.

(f) **CHAPTER 6 WATER SUPPLY AND DISTRIBUTION**

605.15.2 Solvent cementing. Joint surfaces shall be clean and free from moisture, and an approved primer shall be applied. Solvent cement, orange in color, and conforming to ASTM F493, shall be applied to joint surfaces. The joint shall be made while cement is wet, in accordance with ASTM D2846 or ASTM F493. Solvent cement joints shall be permitted above or below ground.

Exception: A primer is not required where all of the following conditions apply:

1. The solvent cement used is a third party certified as conforming to ASTM F493.
2. The solvent cement used is yellow in color.
3. The solvent cement is used only for joining ½ inch (12.7 mm) through 2 inch diameter (51 mm) CVPC/AL/CPVC pipe and CPVC fittings.
4. The CVPC fittings are manufactured in accordance with ASTM D2846.

608.17.11 Connection to graywater system. The potable water system connection to a graywater system must be protected against backflow by an air gap or reduced pressure principle backflow prevention assembly.

(g) **CHAPTER 7 SANITARY DRAINAGE**

705.10.2 Solvent cementing. Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F656 shall be applied. Solvent cement not purple in color and conforming to ASTM D2564, CSA B137.3, CSA B181.2 or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D2855. Solvent cement joints shall be permitted above or below ground.

Exception: A primer is not required where both of the following conditions apply:

1. The solvent cement used is third party certified as conforming to ASTM D2564.
2. The solvent cement is used only for joining PVC drain, waste and vent pipe and fittings in nonpressure applications in sizes up to and including 4 inches (102 mm) in diameter.

(h) **CHAPTER 8 INDIRECT/SPECIAL WASTE**

802.1.6 Commercial dishwashing machines. The discharge from a commercial dishwashing machine shall be through an *air gap* or *air break* into a waste receptor in accordance with Section 802.3.

Exception: Domestic dishwashing machines may be connected to a separately trapped stand pipe provided with an air break.

(i) **CHAPTER 9 VENTS**

903.1 Roof extension. Open vent pipes that extend through a roof shall be terminated not less than 6 inches (152 mm) [NUMBER] above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall terminate not less than 7 feet (2134 mm) above the roof.

~~**903.2 Frost closure.** Where the 97.5 percent value for outdoor design temperature is 0°F (-18°C) or less, vent extensions through a roof or wall shall be not less than 3 inches (76mm) in diameter. Any increase in the size of the vent shall be made not less than 1 foot (305 mm) inside the thermal envelope of the building.~~

912.1 Horizontal wet vent permitted. Any combination of fixtures within two *bathroom groups* located on the same floor level is permitted to be vented by a horizontal wet vent. The wet vent shall be considered to be the vent for the fixtures and shall extend from the connection of the dry vent along the direction of the flow in the drain pipe to the most downstream *fixture drain* connection to the *horizontal branch drain*. Each wet-vented *fixture drain* shall connect independently to the horizontal wet vent. Only the fixtures within the *bathroom groups* shall connect to the wet-vented *horizontal branch drain*. Any additional fixtures shall discharge downstream of the horizontal wet vent.

Exception: Fixtures other than those considered to be bathroom group fixtures, of equivalent drainage fixture units, may be included in the wet vented section provided the total number of drainage fixture units does not exceed the total number included in two bathroom groups.

918.7 Vent required. Within each plumbing system, not less than one stack vent or vent stack shall extend outdoors to the open air. Individual tenant spaces within a multi-unit building shall have not less than one stack vent or vent stack that extends outdoors to the open air.

(j) CHAPTER 10 TRAPS, INTERCEPTORS AND SEPARATORS

1002.1 Fixture traps. Each plumbing fixture shall be separately trapped by a liquid-seal trap, except as otherwise permitted by this code. The vertical distance from the fixture outlet to the trap weir shall not exceed 24 inches (610 mm), and the horizontal distance shall not exceed 30 inches (610 mm) measured from the centerline of the fixture outlet to the centerline of the inlet of the trap. The height of a clothes washer standpipe above a trap shall conform to Section 802.3.3. A fixture shall not be double trapped.

Exceptions:

1. This section shall not apply to fixtures with integral traps.
2. A combination plumbing fixture is permitted to be installed on one trap, provided that one compartment is not more than 6 inches (152 mm) deeper than the other compartment and the waste outlets are not more than 30 inches (762 mm) apart.
3. A grease interceptor intended to serve as a fixture trap in accordance with the manufacturer's installation instructions shall be permitted to serve as the trap for a single fixture or a combination sink of not more than three compartments where the vertical distance from the fixture outlet to the inlet of the interceptor does not exceed 30 inches (762 mm) and the *developed length* of the waste pipe from the most upstream fixture outlet to the inlet of the interceptor does not exceed 60 inches (1524 mm).

4. Floor drains in multilevel parking structures that discharge to a building storm sewer shall not be required to be individually trapped. Where floor drains in multilevel parking structures are required to discharge to a combined *building sewer* system, the floor drains shall not be required to be individually trapped provided that they are connected to a main trap in accordance with Section 1103.1.

5. Trench and floor drains connected to a sand oil interceptor need not be individually trapped provided the drain piping from the trench or floor drains is turned down after entering the interceptor so the discharge point is a minimum of 4 inches below the standing water level of the interceptor.

1003.1 Where required. Interceptors and separators shall be provided to prevent the discharge of oil, grease, sand and other substances harmful or hazardous to the public sewer, the private sewage system or the sewage treatment plant or processes.

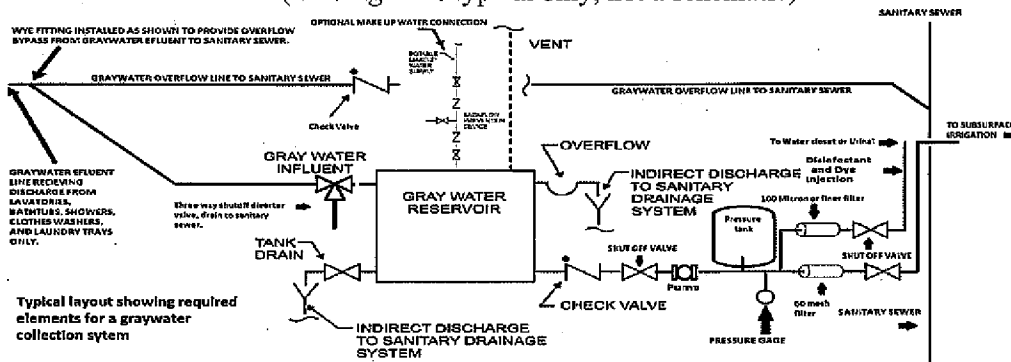
Exception: Where special regulations exist by the local waste water and/or sanitation district into which the grease trap or interceptor effluent is transported and/or treated. These regulations may supersede this requirement.

(k) CHAPTER 11 STORM DRAINAGE

1101.3 Prohibited drainage. Storm water shall not be drained into *sewers* intended for sewage only. Storm water from roof drains shall not discharge over public walkways.

Exception: Secondary drains.

1301.4 Typical Graywater Collection System (This figure is typical only, not a schematic)



(l) CHAPTER 13 NONPOTABLE WATER SYSTEMS

1301.9.6 Overflow. The storage tank shall be equipped with an overflow pipe having a diameter not less than that shown in Table 606.5.4. The overflow pipe shall be protected from insects or vermin. The overflow drain shall not be equipped with a shutoff valve and shall discharge into the sanitary sewer either directly or indirectly with a trap in the drain line to keep odors from escaping the tank. A cleanout shall be provided on each overflow pipe in accordance with Section 708.

1301.9.9 Draining of tanks Delete the text “shall discharge as required for overflow pipes and”. Replace it with: shall discharge into the sanitary sewer either directly or indirectly with a trap in the drain line to keep odors from escaping the tank

~~**1301.11 Trenching requirements for nonpotable water piping.** Nonpotable water collection and distribution piping and reclaimed water piping shall be separated from the *building sewer* and potable water piping underground by 5 feet (1524 mm) of undisturbed or compacted earth. Nonpotable water collection and distribution piping shall not be located in, under or above cesspools, septic tanks, septic tank drainage fields or seepage pits. Buried nonpotable water piping shall comply with the requirements of Section 306.~~

Exceptions:

- ~~1. The required separation distance shall not apply where the bottom of the nonpotable water pipe within 5 feet (1524 mm) of the *sewer* is not less than 12 inches (305 mm) above the top of the highest point of the *sewer* and the pipe materials conform to Table 702.3.~~
- ~~2. The required separation distance shall not apply where the bottom of the potable water service pipe within 5 feet (1524 mm) of the nonpotable water pipe is not less than 12 inches (305 mm) above the top of the highest point of the nonpotable water pipe and the pipe materials comply with the requirements of Table 605.4.~~

~~**1301.12 Outdoor outlet access.** Sillcocks, hose bibbs, wall hydrants, yard hydrants and other outdoor outlets supplied by nonpotable water shall be located in a locked vault or shall be operable only by means of a removable key.~~

1302.1 General. The provisions of ASTM E2635 and Section 1302 shall govern the construction, installation, alteration and repair of on-site nonpotable water reuse systems for the collection, storage, treatment and distribution of on-site sources of nonpotable water as permitted by the jurisdiction. All plumbing systems utilizing nonpotable water reuse systems shall have a double check valve installed at the water service entrance immediately downstream of the building water service shut off valve.

1302.5 Filtration. Untreated water collected for reuse shall be filtered as required for the intended end use. Filters shall be provided with *access* for inspection and maintenance. Filters shall utilize a pressure gauge or other *approved* method to provide indication when a filter requires servicing or replacement. Filters shall be installed with shutoff valves immediately upstream and downstream to allow for isolation during maintenance. Graywater used for dispersed subsurface irrigation system requires a cartridge filter. The cartridge filter must be a minimum of 60 mesh located between the storage tank and the irrigation system.

1302.6.1 Gray water used for fixture flushing. Gray water used for flushing water closets and urinals shall be disinfected and treated by an on-site water reuse treatment system complying with NSF 350. Graywater used for toilet and urinal flushing shall be dyed with blue or green food grade vegetable dye and be visibly distinct from potable water.

1302.7.3 Overflow. Storage tank for on-site nonpotable systems must include an overflow line without a shut off valve. The overflow line shall be connected to the sanitary sewer either directly or indirectly. The overflow line must be the same or larger diameter line than the tank influent line. The overflow line connected indirectly must be trapped to prevent the escape of gas vapors from the tank

1302.7.4 Venting. Storage tank for on-site nonpotable systems must be vented. Indoor tanks must be vented to the atmosphere outside the building or connected to the plumbing vent system.

1302.7.5 Tank Drains. Storage tank for on-site nonpotable systems must include a valved drain. The drain shall be indirectly connected to the sanitary sewer. The tank drainline must be the same or larger diameter line than the tank influent line.

~~1302.8.1 Bypass valve.~~ One three-way diverter valve listed and labeled to NSF 50 or other approved device shall be installed on collection piping upstream of each storage tank, or drainfield, as applicable, to divert untreated on-site reuse sources to the sanitary sewer to allow servicing and inspection of the system. Bypass valves shall be installed downstream of fixture traps and vent connections. Bypass valves shall be marked to indicate the direction of flow, connection and storage tank or drainfield connection. Bypass valves shall be provided with access that allows for removal. Two shutoff valves shall not be installed to serve as a bypass valve.

1302.8.1 System Bypass One three-way diverter valve listed and labeled to NSF 50 or other approved device shall be installed on collection piping upstream of any graywater treatment equipment, as applicable, to divert untreated on-site reuse sources to the sanitary sewer to allow servicing and inspection of the system. Bypass valves shall be installed downstream of fixture traps and vent connections. Bypass valves shall be marked to indicate the direction of flow, connection and storage tank or drainfield connection. Bypass valves shall be installed in accessible locations. Two shutoff valves shall not be installed to serve as a bypass valve. In addition to the bypass valve a series of drainage fittings shall be installed in the collection piping upstream of the bypass valve in a configuration that will allow the graywater from the plumbing fixtures to automatically flow directly into the sanitary sewer system in the event the filter or other parts of the collection system become clogged to the point of not allowing the effluent free flow through the system. The overflow line connected to the sanitary sewer shall be equipped with a backwater valve.

Section 1303 Nonpotable rainwater collection and distribution systems
Delete in its entirety

Chapter 14 Subsurface landscape irrigation systems
Delete in its entirety

(5) **Amendments to the 2018 International Mechanical Code**

(a) **CHAPTER 1 SCOPE AND ADMINISTRATION**

101.1 Title. These regulations shall be known as the *Mechanical Code* of Adams County [NAME OF JURISDICTION], hereinafter referred to as "this code."

(6) **Amendments to the 2018 International Fuel Gas Code**

(a) **CHAPTER 1 SCOPE AND ADMINISTRATION**

101.1 Title. These regulations shall be known as the *Fuel Gas Code* of Adams County [NAME OF JURISDICTION], hereinafter referred to as "this code."

101.2.2 Piping systems. These regulations cover *piping* systems for natural gas with an operating pressure of 125 pounds per square inch gauge (psig) (862 kPa gauge) or less, and for LP-gas with an operating pressure of 20 psig (140 kPa gauge) or less, except as provided in Section 402.7. Coverage shall extend from the *point of delivery* to the outlet of the *appliance* shutoff valves. *Piping* system requirements shall include design, materials, components, fabrication, assembly, installation, testing, inspection, operation, and maintenance.

(b) **CHAPTER 4 GAS PIPING INSTALLATIONS**

403.10.6 Welded Joints. Welded joints shall be performed by a person holding a valid certificate of competency based on the requirements of the ANSI/ASME Boiler and Pressure Vessel Code, Section IX, Brazing and Welding Qualifications. Welded joints shall comply with ASTM 139.

404.12 Minimum burial depth. Underground *piping systems* shall be installed a minimum depth of 12 inches (305 mm) below grade except as provided for in Section 404.12.1. *Underground plastic piping systems* shall be installed a minimum depth of 18 inches (457 mm) below grade.

406.1 General. Prior to acceptance and initial operation, all *piping* installations shall be visually inspected and pressure tested to determine that the materials, design, fabrication and installation practices comply with the requirements of this code. Inspection and pressure testing shall apply to temporary installations connected to a primary fuel gas source for the purpose of supplying temporary heat.

406.4.1 Test pressure. The test pressure to be used shall be not less than 1½ times the proposed maximum working pressure, but not less than 30 psig (207 kPa gauge), irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the *piping* greater than 50 percent of the specified minimum yield strength of the pipe.

408.4 Sediment trap. ~~Where a sediment trap is not incorporated as part of the appliance, a sediment trap shall be installed downstream of the appliance shutoff valve as close to the inlet of the appliance as practical. The sediment trap shall be either a tee fitting having a capped nipple of any length installed vertically in the bottommost opening of the tee as illustrated in Figure 408.4 or other device approved as an effective sediment trap. Illuminating appliances, ranges, clothes dryers, decorative vented appliances for installation in vented fireplaces, gas fireplaces and outdoor grills need not be so equipped.~~

409.5.3 Located at manifold. ~~Where the *appliance* shutoff valve is installed at a manifold, such shutoff valve shall be located within 50 feet (15240 mm) of the *appliance* served and shall be readily accessible and permanently identified. The *piping* from the manifold to within 6 feet (1829 mm) of the *appliance* shall be designed, sized and installed in accordance with Sections 401 through 408.~~

409.6.1 Electric Solenoid Valve. A remotely located electric solenoid emergency shutoff valve may be used for compliance to Section 409.6, when all the following requirements are met.

1. The emergency control shutoff “panic button” shall be readily accessible, located within the laboratory space served, adjacent to the egress door from the space and shall be identified by approved signage stating “Gas Shutoff”.

2. The gas solenoid valve shall be a “normally closed” type valve with a manual reset

(7) Amendments to the 2018 International Energy Conservation Code

(a) [CE] CHAPTER 1 SCOPE AND ADMINISTRATION

C101.1 Title. This code shall be known as the *Energy Conservation Code* of Adams County ~~[NAME OF JURISDICTION]~~, and shall be cited as such. It is referred to herein as “this code.”

~~**C103.6.3 Systems operation control.** Training shall be provided to those responsible for maintaining and operating equipment included in the manuals required by Section C103.6.2.~~

~~The training shall include:~~

- ~~1. Review of manuals and permanent certificate.~~
- ~~2. Hands-on demonstration of all normal maintenance procedures, normal operating modes, and all emergency shutdown and startup procedures.~~
- ~~3. Training completion report.~~

(b) [CE] CHAPTER 4 COMMERCIAL ENERGY EFFICIENCY

C403.6.1 Variable air volume and multiple-zone systems. Supply air systems serving multiple zones shall be variable air volume (VAV) systems that have zone controls configured to reduce the volume of air that is reheated, re-cooled or mixed in each zone to one of the following:

1. Twenty percent of the zone design peak supply for systems with Direct Digital Control (DDC) and 30 percent for other systems.
2. Systems with Direct Digital Control (DDC) where all of the following apply:
 - 2.1. The airflow rate in the deadband between heating and cooling does not exceed 20 percent of the zone design peak supply rate or the zone design peak supply rate or higher allowed rates under Items 3, 4 and 5 of this section.
 - 2.2. The first stage of heating modulates the zone supply air temperature setpoint up to a maximum setpoint while the airflow is maintained at the deadband flow rate.
 - 2.3. The second stage of heating modulates the airflow rate from the deadband flow rate up to the heating maximum flow rate that is less than 50 percent of the zone design peak supply rate.

(c) [RE] CHAPTER 1 SCOPE AND ADMINISTRATION

R101.1 Title. This code shall be known as the *Energy Conservation Code* of Adams County ~~[NAME OF JURISDICTION]~~, and shall be cited as such. It is referred to herein as “this code.”

(d) [RE] CHAPTER 4 RESIDENTIAL ENERGY EFFICIENCY

R402.4.1.2 Testing. The *building* or dwelling unit shall be tested and verified as having an air leakage rate not exceeding five air changes per hour or 0.30 cubic feet per minute for multi-family units and not exceeding three air changes per hour or 0.24 cubic feet per minute for all other residential buildings and dwelling units. in *Climate Zones 1 and 2*, and three air changes per

~~hour in Climate Zones 3 through 8.~~ Testing shall be conducted in accordance with RESNET/ICC 380, ASTM E779 or ASTM E1827 and reported at a pressure of 0.2 inch w.g. (50 Pascals). Where required by the *code official*, testing shall be conducted by an *approved third party*. A written report of the results of the test shall be signed by the party conducting the test and provided to the *code official*. Testing shall be performed at any time after creation of all penetrations of the *building thermal envelope*.

(8) Amendments to 2018 International Existing Building Code

(a) CHAPTER 1 SCOPE AND ADMINISTRATION

101.1 Title. These regulations shall be known as the *Existing Building Code of Adams County* [NAME OF JURISDICTION], hereinafter referred to as "this code."

(b) CHAPTER 2 DEFINITONS

[BS] DANGEROUS. Any building, structure or portion thereof that meets any of the conditions described below or meets the definition of dangerous as stated in Section 108.1.5 of the International Property Maintenance Code shall be deemed *dangerous*:

1. The building or structure has collapsed, partially collapsed, moved off its foundation or lacks the support of ground necessary to support it.
2. There exists a significant risk of collapse, detachment or dislodgment of any portion, member, appurtenance or ornamentation of the building or structure under service loads.

(9) Amendments to the 2018 International Swimming Pool and Spa Code

(a) CHAPTER 1 SCOPE AND ADMINISTRATION

101.1 Title. These regulations shall be known as the *International Swimming Pool and Spa Code of Adams County* [NAME OF JURISDICTION], hereinafter referred to as "this code."

105.6.2 Fee schedule. The fees for work shall be as indicated in the following schedule:
[JURISDICTION TO INSERT APPROPRIATE SCHEDULE] Building Permit Fee Schedule

105.6.3 Fee refunds. The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 80% [SPECIFY PERCENTAGE] percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than [SPECIFY PERCENTAGE] percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

(b) CHAPTER 2 DEFINITIONS

Residential Swimming Pool (Residential Pool). A pool intended for use which is accessory to a *residential setting One and Two Family Dwelling* and available only to the household and its guests. Pools accessory to townhomes shall be designed and constructed as Public Swimming Pools Class C. All other pools shall be considered *public pools* for purposes of this code.

(c) **CHAPTER 3 GENERAL COMPLIANCE**

305.1 General. The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. Where spas or hot tubs are equipped with a lockable safety cover complying with ASTM F1346 and swimming pools are equipped with a powered safety cover that complies with ASTM F1346, the areas where those spas or hot tubs or pools are located shall not be required to comply with Sections 305.2 through 305.7.

320.1 Backwash water or draining water. Backwash water or draining water shall be discharged to the sanitary sewer or storm sewer, or into an *approved* disposal system on the premise, or shall be disposed of by other means approved by the state or local authority. Direct connections shall not be made between the end of the backwash line and the disposal system. Drains shall discharge through an air gap.

321.2 Artificial lighting required. When a pool is open during periods of low natural illumination, artificial lighting shall be provided so that all areas of the pool, including the bottom *main drains*, will be visible.

321.3 Emergency illumination. *Public pools* and pool areas that operate during periods of low illumination shall be provided with sufficient emergency illumination to permit evacuation of the pool and securing of the area in the event of power failure. The emergency lighting intensity shall be not less than 1 foot-candle at the water surface and the walking surface of the deck.

(10) **Amendments to 2018 International Property Maintenance Code**

(a) **CHAPTER 1 SCOPE AND ADMINISTRATION**

101.1 Title. These regulations shall be known as the *International Property Maintenance Code of Adams County* [NAME OF JURISDICTION], hereinafter referred to as "this code."

(b) **CHAPTER 3 GENERAL REQUIREMENTS**

302.4 Weeds. *Premises and exterior property* shall be maintained free from weeds or plant growth in excess of 6 inches - [JURISDICTION TO INSERT HEIGHT IN INCHES]. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

304.14 Insect screens. ~~During the period from [DATE] to [DATE],~~ Every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

(c) **CHAPTER 6 MECHANICAL AND ELECTRICAL EQUIPMENT**

602.3 Heat supply. Every *owner* and *operator* of any building who rents, leases or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat during the period from ~~[DATE]~~ to ~~[DATE]~~ to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the *International Plumbing Code*.
2. In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from ~~[DATE]~~ to ~~[DATE]~~ to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

(11) **Amendments to 2017 National Electrical Code**

(a) **ARTICIAL 110 REQUIREMENTS FOR ELECTRICAL INSTALLATIONS**

110.14 (D) Installation. Where tightening torque is indicated as a numeric value on equipment or in installation instructions provided by the manufacturer, a calibrated torque tool shall be used to achieve the indicated torque value, unless the equipment manufacturer has provided installation instructions for alternative method of achieving the required torque. A self certified torque report indicating required torque requirements by the manufacturer's installation instructions have been met shall be provided to the authority having jurisdiction.

(b) **ARTICIAL 230 SERVICES**

230.70(A) (1) Readily Accessible Location. The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure or inside nearest the point of entrance of the service conductors. When the location of the service meter is at a distance of greater than 50 ft. (16m) from the main structure(s) or building(s), an additional service disconnecting means for each structure or building shall be provided at this location. These disconnects may be cold sequenced or hot sequenced depending on the utility providers preference.

(c) ARTICIAL 300 UNDERGROUND INSTALLATIONS

300.5 (D) (3) Protection from damage. Underground service conductors rated 110 volts to ground or more that are not encased in concrete and that are buried 450 mm (18 in.) or more below grade shall have their location identified by a warning ribbon that is placed in the trench as least 300 mm (12 in.) above the underground installation. Trenches less than 18 inches, an appropriate depth above the conductors or raceway shall be determined by the installer so as to provide sufficient warning of the presence of the conductors/ raceway.

(d) ARTICIAL 830 NETWORK-POWERED BROADBAND COMMUNICATIONS SYSTEMS

830.133 (B) Support of Network- Powered Broadband Communications System Cables. Raceways shall be used for the intended purpose. Network-powered broadband communications cables shall not be strapped, taped, or attached by any means to the exterior of any conduit or raceway as a means of support. Independent support wires used for support above a drop ceiling shall be independent of all other systems and clearly marked, tagged, or other effective means so as to identify them as being used for Network Powered Broadband Communication Cables. This shall apply to Communication Cables as listed Article 800 also.

Section 5. PENALTIES

Any person who violates the provisions of this Ordinance shall be subject to the penalties authorized pursuant to § 30-28-209, C.R.S. Each day during which such illegal activity occurs shall be deemed to be a separate offense.

Section 6. REPEAL OF CONFLICTING BUILDING CODES

All conflicting building codes previously adopted by the Adams County Board of County Commissioners are hereby repealed in their entirety and re-enacted in accordance with the provisions of this Ordinance.

Section 7. SEVERABILITY

The Board of County Commissioners hereby declares that should any article, section, paragraph, sentence, clause or phrase of this Ordinance be held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of County Commissioners hereby declares that it would have passed this Ordinance, and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid or unconstitutional.

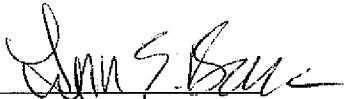
Section 8. SAFETY CLAUSE

The Board of County Commissioners hereby finds, determines, and declares that this Ordinance is necessary for the preservation of the public health, safety, and welfare.

Section 9. DATE OF EFFECT

The Board of County Commissioners of Adams County, Colorado, hereby determines that this Ordinance shall become effective on February 25, 2022.

Adopted this 25th day of January, 2022.

A handwritten signature in black ink, appearing to read "Lynn Baca", written over a horizontal line.

Lynn Baca, Chair
Board of County Commissioners
Adams County, Colorado

Upon motion duly made and seconded the foregoing Ordinance was adopted by the following vote:

Henry _____ Aye
Tedesco _____ Aye
Pinter _____ Aye
O'Doriso _____ Aye
Baca _____ Aye
Commissioners

CERTIFICATE OF ATTESTATION

STATE OF COLORADO)
County of Adams)

CERTIFICATE OF ATTESTATION

I, Josh Zygielbaum, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

The foregoing text is the authentic text of Adams County Ordinance No. 12. The first reading of said Ordinance took place on January 11, 2022, at a regular Board of County Commissioners meeting. It was published in full in a newspaper of general circulation at least ten days before its adoption; to wit, in the Thornton/Northglenn Sentinel and the Westminster Window on January 13, 2022. The Ordinance was adopted on second reading at a regular Board of County Commissioners meeting on January 25, 2022, and shall become effective on February 25, 2022.

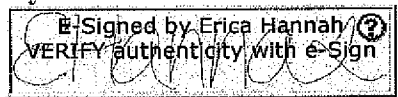
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 25th day of January, 2022.

County Clerk and ex-officio Clerk of the Board of County Commissioners
Josh Zygielbaum:

Josh Zygielbaum:



By:



Deputy

ORDINANCE NO. 15

ORDINANCE REGULATING MARIJUANA HOSPITALITY BUSINESSES AND
PROVIDING FOR LICENSES FOR SUCH BUSINESSES

Resolution 2020-419

WHEREAS, pursuant to §§ 30-11-101(2), 44-12-408(2)(a) and 44-12-409(2)(a), C.R.S., the Board of County Commissioners may authorize the operation of marijuana hospitality businesses within unincorporated Adams County through the enactment of an ordinance; and

WHEREAS, the Board of County Commissioners is authorized under §§ 44-12-408(2)(a) and 44-12-409(2)(a), et seq., C.R.S., to adopt regulations governing marijuana hospitality businesses that are at least as restrictive as the Colorado statutes and rules governing marijuana hospitality businesses; and,

WHEREAS, the Board of County Commissioners finds that regulating marijuana hospitality businesses is necessary to promote the health, safety, and welfare of the citizens of Adams County; and,

WHEREAS, the Board of County Commissioners wishes to permit licenses for Marijuana Hospitality Businesses and Retail Marijuana Hospitality and Sales Businesses as defined by § 44-12-103, C.R.S., as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners, County of Adams, State of Colorado, that the operation of marijuana hospitality businesses in the unincorporated portions of Adams County be subject to the following regulations:

SECTION 1. PURPOSE AND INTENT

The objectives of this Ordinance are:

To establish regulations for the licensing of Marijuana Hospitality Businesses and Retail Marijuana Hospitality and Sales Businesses in unincorporated Adams County;

To prohibit the operation of unlicensed Marijuana Hospitality Businesses and Retail Marijuana Hospitality and Sales Businesses in unincorporated Adams County; and,

To establish procedures for inspection and enforcement to ensure compliance with this Ordinance and all other applicable rules, laws and ordinances pertaining to Marijuana Hospitality Businesses and Retail Marijuana Hospitality and Sales Businesses.

SECTION 2. DEFINITIONS

For the purposes of this Ordinance, the following shall mean:

“Board of County Commissioners” means the Adams County Board of County Commissioners.

“Consumption Area” means a designated and secured area within in the Licensed Premises of a Hospitality Business where consumers can use and consume marijuana and where no one under the age of 21 is permitted.

“Development Standards and Regulations” means the Adams County Development Standards and Regulations as adopted by the Adams County Board of County Commissioners.

“Hospitality Business” means a Marijuana Hospitality Business or Retail Marijuana Hospitality and Sales Business, as defined.

“Licensing Regulations” means the Adams County Licensing Regulations as adopted by the Adams County Board of County Commissioners.

“Marijuana Hospitality Business” means an entity licensed to permit the use or consumption of marijuana within a Consumption Area.

“Marijuana Hospitality Mobile License” means an entity licensed to permit the use or consumption of marijuana within a Mobile Premises.

“Mobile Premises” means a licensed premises operated by a Marijuana Hospitality Business in a motor vehicle, which includes any self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways or a low-speed electric vehicle; but does not include electrical assisted bicycles, electric scooters, low-power scooters, wheelchairs, or vehicles moved solely by human power.

“Operations” means the business activities that a Hospitality Business engages in to provide a service to their customers.

“Outdoor Consumption Area” means a Consumption Area that is outdoors and surrounded by a sight-obscuring wall, fence, hedge, or other opaque or translucent barrier.

“Permitted Use” means a use permitted by right in a zone district. The use must comply with all applicable standards for the use or uses and all County and State regulations in order to be permitted.

“Restricted Access Area” means a designated and secure area within a Licensed Premises in a Retail Marijuana Hospitality and Sales business where Retail Marijuana

is sold to consumers, processed for sale, and displayed for sale, and where no one under the age of 21 is permitted.

“Retail Marijuana Hospitality and Sales Business” means an entity licensed to (1) purchase Retail Marijuana from a Retail Marijuana Business, (2) Transfer Retail Marijuana to consumers, and (3) permit the use or consumption of Retail Marijuana Transferred to a consumer within the Restricted Access Area

SECTION 3. APPLICABILITY

This Ordinance shall apply to any Hospitality Business in unincorporated Adams County, Colorado.

SECTION 4. RESPONSIBILITY FOR ADMINISTRATION

- A. The Board of County Commissioners shall be responsible for allocating the number of available licenses for Hospitality Businesses.
- B. The Director of Community and Economic Development or the Director’s designee shall administer, implement, and perform enforcement of this Ordinance and may inspect for violations of this Ordinance.
- C. Any powers granted or duties imposed upon the Department may be delegated in writing by the Director acting for and on behalf of the County.
- D. Enforcement:
 - a. Pursuant to § 30-15-402.5(1) the Board of County Commissioners has determined that it is in the best interest of public safety to designate all Adams County Sheriff’s Office Peace Officers and all Adams County Code Compliance Officers to enforce this Ordinance by issuing citations or summonses and complaints for violators of the provisions of this Ordinance.

SECTION 5. LICENSE FEES

License Fees and associated administrative fees shall be adopted by the Board of County Commissioners on a yearly basis through means of a resolution.

SECTION 6. OPERATIONS

Hours of Operation

- A. The Hours of Operation for Hospitality Business shall be 8am to 10pm, daily.

Locations of Marijuana Hospitality Businesses or Retail Marijuana Hospitality and Sales Businesses

- A. No Hospitality Business shall be located within 1,000 feet of any existing public or private elementary, middle junior high or high school, state licensed daycare homes and daycare centers in existence as of the date of application (based on information provided to the County by the State of Colorado), playground, or public housing facility.
- B. No Hospitality Business shall be located within 100 feet of any existing house of worship, youth center, public swimming pool, video arcade, alcohol or drug rehabilitation facility, group home for the developmentally disabled, halfway house, or correctional facility
- C. No Hospitality Business shall be located within 50 feet of any residentially zoned or used property.
- D. No Hospitality Business shall be located within five miles of any other Hospitality Business.
- E. Hospitality Businesses shall only be allowed in the following Zone Districts: all industrial zone districts, Commercial-3, Commercial-4, and Commercial-5.

Mobile Marijuana Premises

- A. A Marijuana Hospitality Business may apply for a Marijuana Hospitality Mobile License. A maximum of two Mobile Premises will be available for each Marijuana Hospitality Business with a Marijuana Hospitality Mobile License.
- B. Each Mobile Premises is required to obtain a separate Marijuana Hospitality Mobile License.
- C. The Marijuana Hospitality Business must provide the following information to the County regarding its Mobile Premises:
 - a. Documentation that the Mobile Premises is owned or leased by the Marijuana Hospitality Business;
 - b. The vehicle manufacture/make, model, and year associated with the Mobile Premises;
 - c. Proof that the Mobile Premises is equipped with a global position system capable of tracking the Mobile Premises;

- d. Proof that the Mobile Premises is equipped with video surveillance inside of the Mobile Premises; and
 - e. Proof that the Mobile Premises is equipped with proper screening methods to ensure that consumption activity is not visible outside the vehicle.
- D. The Marijuana Hospitality Business with a Mobile Premises shall designate and maintain a fixed place of business in unincorporated Adams County that is separate from the Mobile Premises.

Applicability of the Adams County Development Standards and Regulations.

- A. All Hospitality Businesses shall abide by the Adams County Development Standards and Regulations as related to Hospitality Businesses.

Applicability of the Adams County Licensing Regulations

- A. All Hospitality Businesses shall be required to obtain a license from Adams County.
- B. All Hospitality Businesses shall be required to obtain a license from the State of Colorado.
- C. All Hospitality Businesses shall abide by the Adams County Licensing Regulations.

Compliance with Adams County Ordinances

- A. All Hospitality Businesses shall abide by all applicable rules, laws and ordinances, including, but not limited to, Adams County Ordinance No. 4, the Fire Code, and Adams County Ordinance No. 12, the Building Code.

Prohibited Uses

All uses (1) not expressly identified as permitted uses in this Section 6; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to this Ordinance, the Adams County Development Standards and Regulations, or the Adams County Licensing Regulations, are prohibited.

SECTION 7. SEVERABILITY

If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8. VIOLATIONS, ENFORCEMENT AND PENALTIES

A. Criminal Prosecution

Any person that has violated or continues to violate this Ordinance may be subject to criminal prosecution, including criminal penalties authorized pursuant to § 30-15-402, C.R.S., as amended. Each day a property is in violation of this Ordinance shall constitute a separate violation.

B. Fines

Pursuant to § 30-15-402, C.R.S., there shall be a graduated fine schedule for repeat offenses by the same individual, as follows:

First and Second offense: maximum fine of \$500 per day of offense

Third offense: minimum fine of \$750 per day of offense

Subsequent offenses: maximum fine of \$1,000 per day of offense

C. Surcharges

Pursuant to § 30-15-402(2)(a), C.R.S., there shall be a surcharge of ten dollars that shall be paid to the clerk of the court by the defendant. The moneys collected for that surcharge shall be placed in a fund established by the 17th Judicial District for victims and witness assistance and law enforcement pursuant to § 24-4.2-103, C.R.S.

D. Remedies Not Exclusive

The remedies listed in this Ordinance are not exclusive of any other remedies available under any applicable federal, state or local law, and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

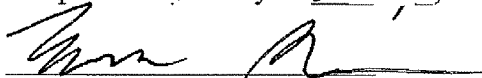
E. Disposition of Fines

Unless otherwise provided for, all fines, penalties, and surcharges shall be paid into the treasury of Adams County pursuant to § 30-15-408, C.R.S. Court costs, if any, shall be paid directly to the Clerk of the Court by each defendant.

SECTION 9. EFFECTIVE DATE AND EXPIRATION

This Ordinance shall take effect thirty (30) days after the final publication of its adoption by the Board of County Commissioners.

Adopted this 30 day of JUNE, 2020



Emma Pinter, Chair
Board of County Commissioners
Adams County, Colorado

Upon motion duly made and seconded the foregoing Ordinance was adopted by the following vote:

Henry _____ Aye
Tedesco _____ Aye
Pinter _____ Aye
O'Dorisio _____ Aye
Hodge _____ Aye
Commissioners

CERTIFICATE OF ATTESTATION

STATE OF COLORADO)
County of Adams)

CERTIFICATE OF ATTESTATION

I, Josh Zygielbaum, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

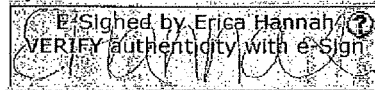
The foregoing text is the authentic text of Adams County Ordinance No. 15. The first reading of said Ordinance took place on June 16, 2020, at a regular Board of County Commissioners meeting. It was published in full in a newspaper of general circulation at least ten days before its adoption; to wit, in the Thornton/ Northglenn Sentinel and the Westminster Window on June 18, 2020. The Ordinance was adopted on second reading at a regular Board of County Commissioners meeting on June 30, 2020, and shall become effective on August 8, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 30th day of June, 2020.

County Clerk and ex-officio Clerk of the Board of County Commissioners
Josh Zygielbaum:



By:



Deputy

**ORDINANCE NO. 16
ADAMS COUNTY, COLORADO
DESIGNATED RESIDENTIAL PARKING DISTRICTS**

Resolution 2021-504

WHEREAS, Colorado Revised Statute (C.R.S.) § 30-15-401(1)(h), authorizes the Board of County Commissioners (BoCC) to adopt ordinances which control and regulate the movement and parking of vehicles and motor vehicles on public property; and,

WHEREAS, C.R.S. § 30-15-402(1), authorizes fines to be imposed for violations of any county ordinance; and,

WHEREAS, C.R.S. § 30-15-402.5(1) authorizes the BoCC to designate personnel authorized to enforce its duly adopted county ordinances by issuing citations or summonses and complaints to violators of its ordinances; and,

WHEREAS, the BoCC has determined that it should designate all Adams County Code Compliance Officers and their supervisors, the Adams County Sheriff, and all Adams County Deputy Sheriffs as authorized enforcement personnel of the provisions of this Ordinance; and,

WHEREAS, the BoCC believes that the adoption of this Ordinance will benefit Adams County residents by allowing individual neighborhoods to request the implementation of designated residential parking districts.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Adams County, Colorado as follows:

ARTICLE I: GENERAL PROVISIONS

Section 1.1 Title

This ordinance shall be known and referred to as the “Adams County Designated Residential Parking Districts Ordinance.”

Section 1.2: Application

This Ordinance shall apply to all public streets and parking areas within the unincorporated areas of Adams County, Colorado.

Section 1.3: Definitions

Pursuant to C.R.S. § 2-4-101, all words and phrases contained in this Ordinance shall be read in context and construed according to the rules of grammar and common usage, unless otherwise particularly defined herein.

- (a) “Adams County Code Compliance Officer” means a code compliance officer or supervisor employed by Adams County for the purpose of providing code compliance services for unincorporated areas of Adams County.
- (b) “Adams County Deputy Sheriff” means a law enforcement officer employed by the Adams County Sheriff’s Office with the authority to enforce state laws and county regulations, rules, ordinances, or resolutions within unincorporated Adams County.
- (c) “Designated Residential Parking District” or “District” means an area in which the parking of vehicles has been restricted to residents within the designated area, as indicated by parking control devices and outlined on the Adams County website.
- (d) “Holiday” means New Year’s Day, Martin Luther King, Jr. Day, President’s Day, Memorial Day, Independence Day, Veterans’ Day, Labor Day, Cabrini Day, Thanksgiving Day, Christmas Day, and such additional entire days declared as holidays by County Resolution or state or federal statute. Where the holiday observed differs from the day of the historical event commemorated, the day observed is the holiday for the purposes of parking enforcement.
- (e) “Household” means any individual legal address within a designated residential parking district.
- (f) “Parking Control Device” means all signs, signals, markings, and devices placed or displayed by Adams County in accordance with the provisions of this Ordinance for the purpose of regulating, warning, or guiding the parking of vehicles.
- (g) “Permit” means an authorization issued by Adams County in accordance with established County guidelines allowing the permit holder to park a motor vehicle in a Designated Residential Parking District.
- (h) “Street” means the entire width between the property boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel and includes, without limitation, alleys, and the entire width of every way declared to be a public highway by any law.
- (i) “Time” means, whenever certain hours are named herein or on any Parking Control Device, Mountain Standard Time or Mountain Daylight Time, depending on the date, as prescribed by state law. Mountain Standard Time is coordinated universal time minus seven hours. Mountain Daylight Time is coordinated universal time minus six hours.

ARTICLE II: ENFORCEMENT

Section 2.1: Enforcement

Pursuant to Adams County Ordinance No.9, the Model Traffic Code, the Adams County Sheriff and Sheriff's Deputies are authorized to enforce parking rules and regulations adopted by Adams County. Additionally, as authorized by C.R.S. § 30-15-402.5, the Board finds it necessary and in the public interest to vest specific enforcement authority to County personnel listed in this Article who shall have the authority and responsibility to enforce this Ordinance.

Section 2.2: Who May Enforce

This Ordinance may be enforced by:

- (a) All Adams County Code Compliance Officers and their supervisors; and,
- (b) The Adams County Sheriff and all Adams County Deputy Sheriffs.

ARTICLE III:
RESTRICTED PARKING IN DESIGNATED RESIDENTIAL DISTRICTS

Section 3.1: Applicability

This Ordinance shall apply to all public streets and parking areas in the unincorporated areas of Adams County, Colorado.

Section 3.2: Vehicle Owner Liable for Violation

No owner of a vehicle shall allow, or fail to prevent, the stopping or parking of that vehicle, in violation of any of the prohibitions or requirements of this Ordinance. The owner of the vehicle is liable for any such violation.

Section 3.3: Restricting Parking in Designated Residential Districts

- (a) Subject to final approval by the BoCC, the Community Safety and Well-Being Department (the "Department") is hereby authorized to determine that there is a need to restrict parking of vehicles on the streets in a designated residential area by individuals who do not reside in that area.
- (b) The determination that an area should be designated as a Residential Parking District may be made based on a finding that unrestricted parking could cause hazardous traffic conditions in the residential area; produce excessive auto emissions, noise, trash and/or refuse; unreasonably burden access by area residents to their residences; damage the character of the area; or diminish the value of property in the area.
- (c) The determination that an area should be designated as a Residential Parking District may be made if sixty percent (60%) of the households within the designated area support such determination.

- (d) The boundaries of the area within which parking will be restricted shall be determined by the Community Safety and Well-Being Department Director or their designee.
- (e) Once the area is determined, the Department shall present its finding of the need for a Residential Parking District, the proposed boundaries, and the proposed restrictions for the area to the BoCC for approval.
- (f) Proposed restrictions for the area may include limiting the duration of parking for nonresidents of the area, designating certain no parking areas, limiting parking on certain days and/or during designated hours to residents of such area, and/or imposing any other restrictions reasonably necessary to mitigate the parking problem and associated harm.
- (g) If the Residential Parking District is approved by the BoCC, the Department shall publish information about the restrictions on the county website and install Parking Control Devices in the restricted area that describe the restrictions and provide notice that vehicles parked in violation of the applicable restrictions will be subject to ticketing, fines, and/or impoundment.
- (h) If the parking restriction limits parking to residents of a District, resident permits shall be obtained from the Department. Resident parking permits shall be assigned to all residents of the designated area who provide their vehicle information.
- (i) Holders of parking permits issued in accordance with the terms of this Ordinance shall have unrestricted parking access within the District that they reside, provided that such parking shall be in accordance with all other existing laws, ordinances, rules, and regulations.
- (j) Each household within a designated permit parking District will be given two (2) visitor permits to be displayed as needed. The use of visitor permits will be limited in accordance with policies adopted by the Department. The policies will be available on the Adams County website. If a visitor permit is lost, a replacement may be obtained from the Department upon payment of a replacement fee.
- (k) No person may allow, or fail to prevent, their vehicle to be parked in any District in violation of any restriction imposed in accordance with the terms of this Ordinance.
- (l) This Ordinance shall not apply to emergency vehicles responding to an emergency or to delivery vehicles that are in the process of making a delivery.

ARTICLE IV: PROCEDURES AND PENALTIES

Section 4.1: Procedures

- (a) Pursuant to C.R.S. § 30-15-402, any person who violates any part of this ordinance commits a traffic infraction, and upon conviction thereof, shall be punished by a fine of not more than one thousand dollars for each separate violation.

- (b) Unless a person who has been cited for a traffic infraction pays the penalty assessment and surcharge as provided in the penalty assessment notice, the provisions of C.R.S. §§ 42-4-1701 and 42-4-1073, and 42-4-1708 to 42-4-1718 shall apply, except that the fine or penalty for a violation charged and the surcharge thereon shall be paid to the county.

Section 4.2: Notice of Parking Violation and Penalty Assessment Procedure

- (a) As authorized by C.R.S. § 30-15-402, the Penalty Assessment procedure provided in C.R.S. § 16-2-201 may be followed by any arresting law enforcement officer or Adams County Code Compliance Officer for any violation of this Ordinance.
- (b) When an Officer comes upon a vehicle which is parked in apparent violation of this Ordinance, the Officer may place upon the vehicle a penalty assessment notice as specified in C.R.S. § 16-2-201 (2); except that said notice shall contain the license plate number and state of registration of the vehicle and need not contain the identification of the vehicle owner.
- (c) The penalty assessment notice shall be a summons and complaint containing the license plate number and state of registration of the vehicle, specification of the offense and applicable fine, and a requirement that the alleged offender pay the fine or appear to answer the charge at a specified time and place. A duplicate copy of the notice shall be sent to the Clerk of the Adams County Court in the 17th Judicial District.
- (d) If the owner of the vehicle chooses to acknowledge their guilt, they may pay the specified fine in person, online, or by mail at the place and within the time specified in the notice. If they choose not to acknowledge their guilt, they shall appear in court as required in the notice.

Section 4.3: Penalties

The following penalties shall apply to violations of the provisions of this Ordinance:

- (a) Any violation of this Ordinance is a traffic infraction and subject to a fine of \$15 and a surcharge of \$6. All fines or penalties and the surcharge thereon shall be paid into the treasury of Adams County.
- (b) In addition, if the penalty assessment procedure authorized by this Ordinance is not used, a person convicted of violating any provision of this Ordinance shall pay a ten-dollar (\$10.00) surcharge for each violation to the clerk of the court as provided in C.R.S. § 30-15-402(2). The Clerk of the Court shall transmit the ten-dollar surcharge to the court administrator of Seventeenth Judicial District for credit to the Victims and Witness Assistance and Law Enforcement fund established pursuant to C.R.S. § 42-4.2-103.

- (c) If the penalty assessment procedure authorized by this Ordinance is not used, Court Costs may be assessed against violators in addition to the fines and surcharges imposed by this Ordinance. Court costs, if any, shall be paid directly to the Clerk of Court.

Section 4.4: Towing and Impoundment

In addition to any other penalty imposed herein, any motor vehicle parked in violation of this Ordinance and left unattended for a period of forty-eight hours or longer may be towed and impounded by the Adams County Sheriff's Office in accordance with C.R.S. § 42-4-1801, *et seq.*

ARTICLE V: ADDITIONAL PROVISIONS

Section 5.1: Separate Infractions

For each parking violation a new and separate infraction occurs when a vehicle remains parked in violation of the restrictions posted on a Parking Control Device for more than two hours after the issuance of the preceding parking ticket. Citations issued to a single vehicle may not exceed three (3) in any consecutive 24-hour period.

Section 5.2: Regulations Not Exclusive

This Ordinance is in addition to, and not in place of, all other existing laws, ordinances, rules, and regulations concerning the subject matter contained herein.

Section 5.3: Interpretation

This Ordinance shall be interpreted and construed as to effectuate its general purpose. Section headings and cross references of this ordinance shall not be deemed to govern, limit, modify or affect in any manner the scope, meaning or extent of the provisions of this Ordinance or any Section thereof.

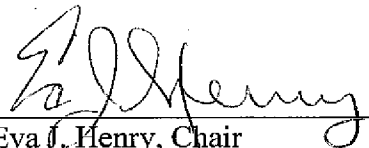
Section 5.4: Severability

Should any section, clause, sentence, or part of this Ordinance be adjudged by any court of competent jurisdiction to be unconstitutional or invalid, the same shall not affect, impair, or invalidate the Ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

Section 5.5: Effective Date

In accordance with C.R.S. § 30-15-405, the BoCC hereby determines that this Ordinance shall become effective on November 1, 2021.

Adopted this 14th day of September 2021.



Eva J. Henry, Chair
Board of County Commissioners
Adams County, Colorado

Upon motion duly made and seconded the foregoing Ordinance was adopted by the following vote:

Eva J. Henry _____ Aye
Charles "Chaz" Tedesco _____ Aye
Emma Pinter _____ Aye
Steve O'Dorisio _____ Aye
Lynn Baca _____ Aye
Commissioners

CERTIFICATE OF ATTESTATION

STATE OF COLORADO)
County of Adams)

I, Josh Zygielbaum, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for Adams County, Colorado do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

The foregoing text is the authentic text of Adams County Ordinance No. 16. The first reading of said Ordinance took place on August 17, 2021, at a regular Board of County Commissioners meeting. It was published in full in a newspaper of general circulation at least ten days before its adoption; to wit, in the Northglenn/Thornton Sentinel and the Westminster Window on August 26, 2021. The Ordinance was adopted on second reading at a regular Board of County Commissioners meeting on September 14, 2021, and was published by title in the Northglenn/Thornton Sentinel and the Westminster Window on September 23, 2021. The Ordinance shall become effective on November 1, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 14 day of September, 2021.

County Clerk and ex-officio Clerk of the Board of County Commissioners
Josh Zygielbaum:

By:



Deputy

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING THE ANIMAL CONTROL CODE

Resolution 2022-043

WHEREAS, the Board of County Commissioners is expressly authorized by § 30-15-101, *et seq.*, Colorado Revised Statute (C.R.S.), as amended, to adopt a resolution establishing reasonable regulations and restrictions concerning the control, licensing, and impoundment of dogs and other animals; and,

WHEREAS, the Board of County Commissioners is also expressly authorized by § 30-15-401(1)(e), C.R.S., as amended, to adopt an ordinance for the control of unleashed or unclaimed animals; and,

WHEREAS, Adams County has developed this Resolution to function harmoniously with Ordinance No. 6 for the Control of Unleashed or Unclaimed Animals; and,

WHEREAS, Adams County Animal Management (“ACAM”) has recommended revisions to previously implemented animal control regulations that better enable ACAM to regulate the licensing and control of dogs and other animals and comply with recent legislative changes; and,

WHEREAS, the Board of County Commissioners concurs with the recommendations of ACAM, and finds that the licensing and regulation of dogs and other animals within the territory of unincorporated Adams County is a matter of local concern that is necessary for the protection of the health, safety, and welfare of the citizens of Adams County.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Animal Control Code, attached hereto and incorporated by reference herein, is approved and shall become effective as of March 1, 2022.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Henry _____ Aye
Tedesco _____ Aye
Pinter _____ Aye
O’Dorisio _____ Aye
Baca _____ Aye
Commissioners

STATE OF COLORADO)
County of Adams)

I, Josh Zygielbaum, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 25th day of January A.D. 2022.

County Clerk and ex-officio Clerk of the Board of County Commissioners

Josh Zygielbaum:



By:



Deputy

ANIMAL CONTROL CODE

ARTICLE I: DEFINITIONS

Pursuant to § 2-4-101, C.R.S., as amended, all words and phrases contained in this Code shall be read in context and construed according to the rules of grammar and common usage, unless otherwise particularly defined herein.

- 1-1. **“Adams County Animal Management (ACAM)”** means the work unit within the Adams County Community Safety and Well-Being, tasked with the duties and responsibilities associated with the management, control, and enforcement of pet animal issues.
- 1-2. **“Abandon”** means the leaving of an animal without adequate provisions for the animal’s proper care by its owner, the person responsible for the animal’s care or custody, or any other person having possession of such animal.
- 1-3. **Altered Dog”** means a dog from which the reproductive organs have been removed (spayed or neutered).
- 1-4. **“Animal”** means any living pet animal.
- 1-5. **“Animal Management Officer”** means any employee of Adams County who is employed for the purpose of animal control.
- 1-6. **“Animal in heat”** means a female dog or other animal during its regular recurrent period of estrus (heat) or ovulation.
- 1-7. **“Barking Dog”** means any dog, whether on or off the dog owner’s premises, that disturbs the peace of any person by loud, habitual, and persistent barking, howling, yelping, whining, or other utterance.
- 1-8. **“Bodily injury”** means any physical injury that results in severe bruising, muscle tears, or skin lacerations requiring professional medical treatment or any physical injury that requires corrective or cosmetic surgery, or any other injury as defined in § 18-9-204.5(2)(a), C.R.S., as amended.
- 1-9. **“Caretaker”** or **“Custodian”** means any person who harbors an animal or has the custody, charge, care, or possession of a pet animal, including the owner of the animal.
- 1-10. **“Cat”** means any animal of the genus and species *Felis catus*.
- 1-11. **“Confined”** means caged or restrained in a manner that prevents or precludes escape.
- 1-12. **“Control”** means:
 - (a) Physical restraint of an animal by means of a leash, cord, or chain or confinement of a animal within the boundaries of the real property of its owner or caretaker; or
 - (b) Physical or verbal command, domination, or regulation of animals, such as working livestock, retrieving wild game in season with a licensed hunter, assisting law enforcement officers, or being trained for any of these pursuits; or
 - (c) Prevention of noise or disturbance that constitutes a violation of section 5-10, below.
- 1-13. **“Dog or domestic dog”** means any animal of the genus and species *Canis Familiaris* or that is related to the wolf.

- 1-14. “**Excessive pet animal feces**” means any accumulation of feces from one or more pet animals in sufficient quantity to generate odors off the premises of the owner or caretaker.
- 1-15. “**Harboring**” means occupying any premises on which an animal is kept or to which an animal customarily returns for food and care. Persons harboring an animal shall be subject to the provisions of this Code as it applies to animal owners caretakers, and custodians.
- 1-16. “**Impound**” means to take custody of and hold an animal at the Riverdale Animal Shelter (RAS).
- 1-17. “**Licensed facility**” means a dog kennel, boarding, or breeding facility duly regulated, inspected, and licensed by any federal or state governmental entity, including the United States Department of Agriculture and the Colorado Department of Agriculture.
- 1-18. “**Livestock**” means cattle, swine, sheep, goats, and such horses, mules, donkeys, and other animals used in the farm or ranch production of food, fiber, or other agricultural products.
- 1-19. “**Mistreatment**” means every act or omission that causes or unreasonably permits the continuation of unnecessary or unjustifiable pain or suffering.
- 1-20. “**Neglect**” means failure to provide food, water, protection from the elements, or other care generally considered to be normal, usual, and accepted for an animal’s health and well-being consistent with the species, breed, and type of animal.
- 1-21. “**Owner**” means any person who is eighteen (18) years of age or older, or the parent or guardian of any child under the age of eighteen (18) years, that has, possesses, controls, harbors, keeps, has a financial interest in, or has custody of an animal, including a vicious animal as the term is defined in this Code.
- 1-22. “**Person**” means any individual human being or any firm, corporation, or other organization.
- 1-23. “**Pet animal**” means:
- (a) Any animal owned or kept by a person for companionship or protection or for sale to others for such purposes, pursuant to § 30-15-101(3), C.R.S., as amended.
 - (b) The definition of “pet animal” does not include feral cats, wildlife, livestock used for any purposes or that is stray as defined in § 35-44-101, C.R.S., as amended, or animals that are owned or bought and sold through the efforts of those that are licensed, inspected, or both, by the United States Department of Agriculture, the Colorado Department of Agriculture, or both.
- 1-24. “**Provocation**” means threatening, tormenting, teasing, or striking an animal.
- 1-25. “**Rabies vaccination tag**” or “**vaccination tag**” means a valid metal tag issued by a licensed veterinarian evidencing a current rabies vaccination.
- 1-26. “**Riverdale Animal Shelter (RAS)**” means the animal shelter owned and operated by Adams County for the impoundment of animals, pursuant to § 30-15-101(1)(a)(IV), C.R.S., as amended, the Pet Animal Care and Facilities Act, § 35-80-101, *et seq.*, C.R.S., as amended, and § 35-80-106.6, C.R.S. titled the Care of Dogs and Cats in Animal Shelters and Pet Animal Rescues.
- 1-27. “**Running-at-large**” means an animal that is not on the property of its owner or caretaker or is not under the control of a person.
- 1-28. “**Unaltered dog**” means a dog that is six (6) months of age or older and is not spayed or neutered.

- 1-29. “**Vicious or dangerous animal**” means:
- (a) Any pet animal that has inflicted bodily injury upon or has caused the death of a person, another animal, or livestock; or
 - (b) Any pet animal that has demonstrated tendencies that would cause a reasonable person to believe the animal may inflict bodily injury upon or cause the death of any person, another animal, or livestock; or
 - (c) Any pet animal that has engaged in or been trained for animal fighting as described and prohibited in § 18-9-204, C.R.S., as amended; or
 - (d) A dangerous dog, as defined in § 18-9-204.5, C.R.S., as amended.
- 1-30. “**Wildlife**” means living things and especially mammals, birds, fishes, and reptiles that are neither human nor domesticated.

ARTICLE II: DUTIES AND POWERS OF ANIMAL MANAGEMENT OFFICERS

- 2-1. Pursuant to § 30-15-102(3) and § 30-15-105, C.R.S., as amended, Animal Management Officers shall hereby have the duty and authority to enforce all sections of this Code as it pertains to pet animals, including issuing, signing, and serving citations or summonses and complaints and making all administrative determinations as required by this Code and shall be included in the definition of “peace officer” under § 18-3-201(2), C.R.S., as amended, as it pertains to assaults upon peace officers
- 2-2. It shall be lawful for an Animal Management Officer to enter upon private property to capture an animal to be impounded for violation of this Code if:
- (a) The Animal Management Officer has obtained a search warrant; or
 - (b) The Animal Management Officer has obtained the consent of the owner or resident of the property; or
 - (c) The Animal Management Officer is in pursuit of an animal that has been running-at-large, except that the Animal Management Officer shall not enter into any enclosed building or structure on private property without a search warrant or the consent of the owner or resident of the property upon which the enclosed building or structure is located.
- 2-3. Animal Management Officers may be appointed to the State Bureau of Animal Protection pursuant to § 35-42-107, C.R.S. and nothing in this Code shall abrogate their powers and duties thereunder.
- 2-4. Nothing in this Code shall be construed to prevent any Animal Management Officer from taking whatever action is reasonably necessary to protect his or her person or members of the public from injury by any animal.

ARTICLE III: RECORDS

- 3-1. It shall be the duty of ACAM to keep, or cause to be kept, accurate, detailed, and complete records of all licenses, summonses, complaints, warnings, and violations issued under this Code.

ARTICLE IV: LICENSING OF DOGS

- 4-1. Owners of dogs that are six (6) months of age or older shall cause such dogs to be licensed by RAS. Each dog license shall be valid for a period of one year from the date of issuance and shall be renewed annually.

- 4-2. To obtain a dog license, the owner must present to RAS a valid rabies vaccination certificate indicating the dog has been vaccinated against rabies by a licensed veterinarian.
- 4-3. The fees for licensing shall be established by separate resolution of the Board of County Commissioners and shall be assessed as follows:
- (a) Spayed and neutered dogs. The annual licensing fee for spayed and neutered dogs shall apply upon presentation to RAS of valid proof from a licensed veterinarian that the dog has been neutered or spayed. Unaltered dogs may be licensed for this fee if RAS finds, in its sole discretion, that there is a valid medical reason precluding the dog from being spayed or neutered.
- (b) Unaltered dogs. The annual licensing fee for dogs that do not meet the criteria established under this section 4-3(a) shall be the fee established for unaltered dogs.
- (c) Exemption for licensed facility owners. Owners of licensed facilities shall be exempt from paying licensing fees but shall be subject to all other provisions of this Code.

ARTICLE V: PROHIBITED OR UNLAWFUL ACTS

- 5-1. **Rabies vaccinations required.** *Dog and cat owners shall be strictly liable for violations of this section, regardless of the actions of any non-owner caretakers.*
- (a) Vaccination required. The owner or custodian of any dog or cat shall have such dog or cat vaccinated against rabies by a licensed state veterinarian, unless such owner or custodian has a written statement from a state licensed veterinarian that vaccination against rabies would be detrimental to the health of such dog or cat and presents said statement to an animal management officer. Such vaccination shall be performed on or before the appropriate anniversary date of the initial vaccination as determined by the compendium of animal rabies control § 25-4-615(2), C.R.S. Any person who acquires within the county a dog or cat shall have such dog or cat vaccinated within 30 days of such acquisition or within 30 days after the dog or cat reaches six months of age, whichever occurs later.
- (b) It is unlawful for any person to possess any dog or cat which has not been vaccinated for rabies as provided for in subsection (a) of this section or which cannot be identified as having a current certificate of vaccination
- (c) It shall be unlawful for a dog or cat to be off of the property of its caretaker without wearing its current rabies vaccination tag, which shall be affixed to the dog by means of a collar or harness.
- (d) It shall be unlawful for a dog or cat to have affixed to it a license/rabies tag other than its own.
- 5-2. **Licensing.** *Dog owners shall be strictly liable for violations of this section, regardless of the actions of any non-owner caretakers.*
- (a) It shall be unlawful for a dog that is age six (6) months or older to not be licensed as prescribed herein.
- (b) It shall be unlawful for a dog to be off of the property of its caretaker without wearing its current Adams County license tag, which shall be affixed to the dog by means of a collar or harness.
- (c) It shall be unlawful for a dog to have affixed to it a license/rabies tag other than its own.
- 5-3. **Accumulation of excessive pet animal feces prohibited.**
- (a) It shall be unlawful for an owner or caretaker of any pet animal to permit excessive pet animal feces to accumulate.

(b) No summons and complaint for a violation of this Section 5-3 shall be issued unless at least one written warning, signed by an Animal Management Officer and at least one complainant, has been issued to an owner or keeper of the dog or dogs and/or the owner of the real property where the violation was found. Such written warning shall contain the date and time when the violation occurred and a brief explanation of the nature of the complaint and findings. Once a written warning has been issued, a summons and complaint may be issued for any violations that have occurred seven (7) days after the written warning without the necessity of an additional warning.

5-4. **Animals prohibited from causing damage.**

(a) It shall be unlawful for the owner or custodian of any animal to permit said animal, with or without the direct knowledge of that owner or custodian, to destroy, damage, or injure any shrubbery, plants, flowers, grass, lawn fence, structure, part of any structure, other domestic animal, or anything whatsoever upon any private property owned or occupied by a person other than the owner or custodian of such animal. The owner or custodian may not permit or allow their animal to come into contact with a motor vehicle owned by someone other than the owner or custodian of the animal in such a way so as to cause damage to the motor vehicle when said motor vehicle is on property other than that of the animal owner or custodian. Any animal permitted to engage in the activities prohibited by this section may be impounded as provided in Article VII of this Code.

(b) Any animal found trespassing or found causing damage to property as described in subsection (a) of this section may be humanely restrained by the owner or occupant of such property, or by such owner's or occupant's agent, for a reasonable time, during which time such owner, occupant, or agent shall notify animal management of his possession of the animal, release the animal to the owner or custodian, release the animal at the site of its capture, or transport the animal to the animal shelter.

5-5. **Animals in heat must be confined.** Any unspayed dog in the stage of estrus (heat) shall be confined during such time in a house or secure and enclosed building, and said area of enclosure shall be so constructed that no male dog may gain access to the confined animal without human assistance. The Animal Management Officer shall order any unspayed dog that is in the state of estrus and that is not properly confined, or any such dog that is creating a neighborhood nuisance to be removed to a boarding kennel, to a veterinary hospital, or to the animal shelter. All expenses incurred as a result of the confinement shall be paid by the owner or custodian.

5-6. **Dangerous dog (unlawful ownership), Damages/destroys property of another, Bodily injury to person, Serious bodily injury to person, Injury/death to an animal is prohibited.** It shall be unlawful for any person to unlawfully, own, possess, harbor, keep, have a financial/property interest in, have custody/control over a dangerous dog and said dog cause bodily injury to a person, serious bodily injury to a person, injury/death of a domestic animal, or damage/destruction of property of another. This violation applies only to damages and injuries resulting in restitution of more than one thousand dollars (\$1,000).

5-7. **Cruelty to animals prohibited.**

(a) Pursuant to § 18-9-202, C.R.S., it shall be unlawful for any person to knowingly, recklessly, or with criminal negligence, cause and procure the over-driving, over-working, tormenting, deprivation of necessary sustenance, unnecessary and cruel beating, housing in a manner that results in chronic or repeated serious physical harm carrying in and upon a vehicle in a cruel or reckless man manner, engaging in sex act with, neglecting, abandoning, torturing, needless mutilating, needless killing of an animal or otherwise mistreat or neglect an animal. Animal Management Officers appointed to the State Bureau of Animal Protection pursuant to 35-42-107 are so authorized to conduct investigations and issues summons and complaints for the enforcement of §18-9-201 et seq. This unlawful conduct shall also serve as a violation of the Animal Control Code.

(b) An Animal Management Officer, having authority to act under this section, may take possession of and impound an animal that the Animal Management Officer has probable cause to believe is a victim of a violation of subsection (a) of this section, or is a victim of

a violation of § 18-9-204, C.R.S., and as a result of the violation is endangered if it remains with the owner or custodian. If, in the opinion of a licensed veterinarian, an animal impounded pursuant to this Section 5-7 is experiencing extreme pain or suffering, or is severely injured past recovery, severely disabled past recovery, or severely diseased past recovery, the animal may be euthanized without a court order.

5-8. **Habitual violations of Code prohibited.** It shall be a separate unlawful offense for an owner or caretaker of any animal to violate this Code after being convicted for violating this Code three (3) or more times during any consecutive twelve (12) month period of time.

5-9. **Interference with an Animal Management Officer prohibited.** It shall be unlawful for any person to knowingly interfere with, hinder, or obstruct an Animal Management Officer in the performance of his or her duties under this Code.

5-10. **Barking, Howling, or Other Unreasonable Animal Noise Prohibited.**

(a) It shall be unlawful for any person who owns or keeps a dog petty offense if such dog individually makes, or in combination with another dog or dogs together make, any noises or disturbances by barking, howling, yelping, whining or other utterance that is audible beyond the premises on which the dog is kept, for a consecutive period in excess of twenty (20) minutes during the day (7 A.M. to 9 P.M.) or for a consecutive period in excess of ten (10) minutes during the night (9:01 P.M. to 6:59 A.M.), and/or a cumulative period in excess of one-hundred twenty (120) minutes during any twenty-four (24) hour period.

(b) No summons and complaint for a violation of this Section 5-10 shall be issued unless at least one written warning, signed by the Animal Management Officer and at least one complainant, has been issued to an owner or keeper of the dog or dogs that have exceed the noise limits. Such written warning shall contain the date and time when the violation occurred and a brief explanation of the nature of the noise complaint. Once a written warning has been issued, a summons and complaint may be issued for any violations that have occurred seven (7) days after the written warning without the necessity of an additional warning.

(c) No summons and complaint shall be issued, nor shall there be a conviction for a violation of this Section 5-10, unless there are two (2) complaining witnesses from separate households who have signed such complaint; except that only one (1) complaining witness shall be required to sign the complaint under either of the following circumstances:

(1) An Animal Management Officer or Deputy Sheriff has personally investigated the complaint of a single complainant and observed the nature and duration of the noise created by the dog(s) and can testify as to such observations, or

(2) A complainant has presented to the Animal Management Officer or Deputy Sheriff at the time of the complaint other credible and admissible corroborative evidence of the alleged violation.

5-11. **Provocation of animals prohibited.** It shall be unlawful for any person to engage in provocation of an animal.

5-12. **Unsafe tethering.** It shall be unlawful for the owner or custodian of any animal to tether any animal in such a manner that the animal may become entangled and unable to reach shelter or water, or in such a manner that the animal may be injured, strangled, or otherwise caused to suffer.

(a) It shall be unlawful to tether any animal on any property other than that of the owner or custodian without prior written permission of the property owner or occupant, or to allow any animal tethered on the property of the owner or custodian to have access to property other than that of the animal owner or custodian.

(b) Any injured animal on public property or property other than that of the owner or custodian without permission of the property owner or occupant shall be removed by the Animal Management Officer and given any stabilizing veterinary treatment deemed

reasonable under shelter guidelines, pending notification of the owner or custodian. The owner or custodian of such animal shall be liable for all veterinary expenses and impoundment fees.

ARTICLE VI: PENALTIES FOR VIOLATIONS

6-1. Pursuant to § 30-15-102(1), C.R.S., as amended, and § 18-1.3-503, C.R.S. any violation of this Code shall be a petty offense and shall be punishable by a fine of not more than three hundred dollars (\$300), imprisonment for not more than ten days in a county jail, or both, for each separate offense. Pursuant to Adams County Ordinance 6. For the Control of Unleashed or Unclaimed Animals, certain additional animal-related offenses are also subject to penalties and are incorporated into this table by reference.

6-2. Pursuant to § 30-15-102, C.R.S., as amended, Animal Management Officers, and/or any arresting law enforcement officers, are hereby authorized to assess penalties for violations of this Code in accordance with the penalty assessment procedures of § 16-2-201, C.R.S., as amended, and as otherwise specified herein.

6-3. Accordingly, a graduated fine schedule for violations of this Code shall be imposed as follows:

VIOLATION	SECTION OF CODE	NUMBER OF OFFENSES	FINE
Failure to vaccinate against rabies	§ 5-1(a)	1	\$50
		2	\$100
		3 or more	\$150
Rabies vaccination tag not affixed	§ 5-1(c)	1	\$50
		2	\$100
		3 or more	\$150
Misuse of rabies vaccination tag	§ 5-1(d)	1	\$50
		2	\$100
		3 or more	\$150
Failure to license animal	§ 5-2(a)	1	\$25
		2	\$50
		3 or more	\$100
License tag not affixed to animal	§ 5-2(b)	1	\$25
License tag not affixed to animal (continued)	§ 5-2(b)	2	\$50
		3 or more	\$100
Misuse of animal license tag	§ 5-2(c)	1	\$25
		2	\$50
		3 or more	\$100
Excessive accumulation of pet animal feces	§ 5-3	1	\$25
		2	\$50
		3 or more	\$100
Property Damage	§ 5-4	1	\$75
		2	\$150
		3 or more	\$300
Animal in heat and not confined	§ 5-5	1	\$100
		2	\$200
		3 or more	\$300
Dangerous dog causing injury or damage	§ 5-6	1 or more	\$300
Cruelty	§ 5-7	1 or more	\$300 or Court Summons
Habitual violations	§ 5-8	1 or more	\$300
Interference with an Animal Management Officer	§ 5-9	1 or more	\$300
Barking, Howling, or Other Unreasonable	§ 5-10	1	\$25
		2	\$50

Animal Noise Prohibited		3 or more	\$100
Provocation of an animal	§ 5-11	1	\$50
		2	\$75
		3 or more	\$100
Unsafe Tethering	§ 5-12	1	\$100
		2	\$200
		3 or more	\$300
Animal-at-large	Ordinance No. 6	1	\$75
		2	\$150
		3	\$300
		4 or more	\$1000
Vicious or dangerous animal-at-large	Ordinance No. 6	1 or more	\$1000
Habitual Ordinance Violations	Ordinance No. 6	1 or more	\$1000

- 6-4. The graduated fines enumerated above shall be imposed when any owner, caretaker, custodian, or other person violates this Code or Ordinance 6 as indicated
- 6-5. Pursuant to § 30-15-102(3), C.R.S., as amended, whenever an Animal Management Officer has probable cause to believe a violation of this Code has occurred, the officer shall issue a penalty assessment notice to the alleged offender, which shall be in the form of a summons and complaint.
- 6-6. Pursuant to § 16-2-201(2), C.R.S., as amended, the summons and complaint shall identify the alleged offender, state with specificity the sections of this Code that were allegedly violated by the offender, state the applicable fine for the offense or each offense, and state that the alleged offender must pay the fine(s) by a date certain or appear to answer the charge(s) at a specified time and place. A duplicate copy of the summons and complaint shall be sent to the County Court Clerk of the 17th Judicial District.
- 6-7. Pursuant to § 16-2-201(3), C.R.S., as amended, if the person given a summons and complaint chooses to acknowledge guilt, the person may pay the assessed fine by mail, in person or online, within the time specified in the summons and complaint.
- 6-8. If the person given a summons and complaint chooses not to acknowledge guilt and to contest the violation(s) alleged, the person shall appear in court at the date, time, and place specified in the summons and complaint.

ARTICLE VII: IMPOUNDING ANIMALS

- 7-1. **Animals running-at-large.** Pursuant to §§ 30-15-101(1)(a)(IV) and (V), C.R.S., as amended, an Animal Management Officer may impound any animal not under control or found running-at-large, including dogs found without license tags or rabies vaccination, any animal that has inflicted bodily injury, any animal that appears to be sick or injured and in need of medical attention, and/or any animal otherwise in violation of this Code.
- 7-2. **Disposition of animals found running-at-large.** Animals found running-at-large shall be impounded in accordance with § 35-80-106.3, C.R.S., as amended, during which time the staff of the RAS shall make reasonable efforts to identify and notify the owner of the pet animal of its impoundment.
- (a) If the owner of the animal is identified and notified, the animal may be released to the custody and control of the owner or the owner’s designee upon payment in full of the costs incurred by the RAS in boarding and caring for the pet animal.
- (b) If the RAS staff is unable to identify or notify the owner of a pet animal of its impoundment, after making reasonable efforts to do so, the pet animal may be made available for adoption or may be humanely euthanized at the sole discretion of the Director or their designee of the RAS in accordance with § 35-80-106.3, C.R.S., as amended.
- (c) If an impounded animal is determined by the Director or their designee of the RAS to be critically injured or ill, and it is deemed by the Director or their designee to be in the

best interests of the animal for it to be humanely euthanized, such euthanization may occur immediately at the sole discretion of the Director or their designee.

(d) If the owner of an animal is identified after the animal is adopted or euthanized, the owner shall be liable for the costs of board and care during the animal's impoundment.

- 7-3 **Animals that inflict bodily injury.** Any animal that is suspected of having bitten or that bites a person causing bodily injury shall be immediately impounded for a minimum of ten (10) days from the date of the suspected bite or bites to be observed for symptoms of rabies. The impoundment can be in home quarantine, impoundment at the RAS or licensed veterinarian or licensed kennel facility of owner's choice if a bodily injury occurs. During the impoundment period, the animal shall not be placed for adoption, placed in foster care, or returned to its owner or caretaker. The owner of the pet animal shall be liable for the costs of board and care incurred by the ACASAC during the period of impoundment pursuant to §18-9-202.5.

The provisions of § 25-4-601, *et seq.*, C.R.S., as amended, concerning rabies control, shall be applicable to such incidents of impoundment.

- 7-4 **Disposition of animals that inflict bodily injury.** Upon the issuance of a summons specified in and pursuant to §18-9-202.5, C.R.S. the owner's dangerous dog may be taken into custody and placed in a public animal shelter, at the owner's expense, pending final disposition of the charge against the owner. In addition, in the event the court, pursuant to the Colorado rules of criminal procedure and part 1 of article 4 of title 16, C.R.S., sets bail for an owner's release from custody pending final disposition, the court may require, as a condition of bond, that the owner's dangerous dog be placed by an impound agency, as defined in §18-9-202.5 (5), C.R.S. at the owner's expense in a location selected by the impound agency including a public animal shelter, licensed boarding facility, or veterinarian's clinic, pending final disposition of the alleged violation of this section. The owner is liable for the total cost of board and care for a dog placed pursuant to this provision.

- 7-5. **Disposition of unclaimed animals.** Any animal that remains impounded and unclaimed shall be processed in accordance with §18-9-202.5, C.R.S. and all applicable laws. Otherwise all animals impounded and unclaimed for period of forty-eight (48) consecutive hours following notification of its owner of its impoundment or following a court hearing at which violation of this Code was at issue, shall become the property of the RAS. The animal may thereafter be adopted or humanely euthanized in accordance with the policies of the RAS, but the owner of the animal shall not thereby be discharged from liability for the costs associated with the board and care of the animal during its impoundment.

ARTICLE VIII: ADDITIONAL PROVISIONS

- 8-1 **Validity of Code.** Pursuant to § 18-9-204.5(5)(b), C.R.S., as amended, nothing in § 18-9-204.5, C.R.S., as amended, shall be construed to abrogate Adams County's authority to issue animal management and licensing resolutions and to impose penalties for violations of the same as provided by law.
- 8-2. **No liability associated with enforcement.** Pursuant to § 30-15-104, C.R.S., as amended, the Board of County Commissioners, Animal Management Officers, employees at the ACASAC, and any other persons authorized to enforce this Code, shall not be held responsible for any accident or subsequent disease that may occur to any animal in connection with the administration of this Code.
- 8-3. **Disposition of fines.** Pursuant to § 30-15-103, C.R.S., as amended, all fines and licensing fees collected for violations of this Code shall be paid into the treasury of the County, and deposited into the County's general fund, as such fines and fees are collected. Court costs, if any, shall be paid directly to the Court.
- 8-4. **Limitation on suits.** Prosecutions for the commission of any violation of this Code shall be barred one (1) year after the commission of the offense.

- 8-5. **Severability.** If any section, paragraph, clause, or provision of this Code shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining sections, paragraphs, clauses, or provisions of this Code, it being the intention that the various parts hereof are severable.
- 8-6. **Effective Date.** Pursuant to § 30-15-405, C.R.S., as amended, this Code shall take effect on March 1, 2022.

STATE OF COLORADO
County of Adams

} ss.

At a regular meeting of the Board of County Commissioners for Adams County, Colorado,
held at the Court House in Brighton on Monday, the 28th day of
JANUARY, A.D. 1980, there were present:

- Pete M. Mirelez Commissioner Chairman
- Robert A. Briggs, Jr. Commissioner
- Ed Harshbarger, Jr. Commissioner
- S. Morris Lubow County Attorney
- Wilma Thatcher, Deputy Clerk of the Board

when the following proceedings, among others were had and done, to-wit:

RESOLUTION PROHIBITING THE DISCHARGE OF FIREARMS IN CERTAIN UNINCORPORATED AREAS OF ADAMS COUNTY, COLORADO

WHEREAS, Section 30-15-302, C.R.S. 1973, authorized the Board of County Commissioners to designate areas in the unincorporated territory of the County in which it is unlawful for any person to discharge firearms, with certain exceptions therein stated, and,

WHEREAS, there has been considerable growth in the urban areas of Adams County, including the unincorporated portions therein, since the Board of County Commissioners last considered the subject of the discharge of firearms, and,

WHEREAS, on this date the Board of County Commissioners held a public meeting to consider the recommendations of the Planning Department.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the firing and discharge of firearms is hereby prohibited, and declared to be unlawful, in all of that part of Adams County west of Gun Club Road, except within incorporated cities and within the Rocky Mountain Arsenal.

BE IT FURTHER RESOLVED, that this resolution shall not apply to any duly authorized law enforcement officer acting in the line of duty and this resolution shall not be interpreted to prohibit the discharge of any firearms in shooting galleries or in any private grounds or residence under circumstances when such firearm can be discharged in such a manner as not to endanger persons or property and also in such a manner as to prevent the projectile from any such firearm from traversing any grounds or space outside the limits of such shooting gallery, grounds or residence.

Upon motion duly made and seconded the foregoing Resolution was adopted by the following vote:

- Mirelez Aye
- Briggs Aye
- Harshbarger Aye

Commissioners

STATE OF COLORADO } ss.
County of Adams

I, William Sokol, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, this
29th day of January, A. D. 1980
County Clerk and ex-officio Clerk of the Board of County Commissioners.

WILLIAM SOKOL
by Wilma Thatcher Deputy

801826 00- 01460 728120

At a regular meeting of the Board of County Commissioners for Adams County, Colorado, held at the Court House in Brighton on Tuesday, the 19th day of February, A.D. 1980, there were present:

- Robert A. Briggs, Jr. Commissioner Chairman
- Ed Harshbarger, Jr. Commissioner
- Vacant Commissioner
- S. Morris Lubow County Attorney
- Donna L. Barber, Deputy Clerk of the Board

when the following proceedings, among others were had and done, to-wit:

RESOLUTION PROHIBITING THE DISCHARGE OF FIREARMS IN CERTAIN UNINCORPORATED AREAS OF ADAMS COUNTY, COLORADO

WHEREAS, Section 30-15-302, C.R.S. 1973, authorized the Board of County Commissioners to designate areas in the unincorporated territory of the County in which it is unlawful for any person to discharge firearms, with certain exceptions therein stated, and,

WHEREAS, there has been considerable growth in the urban areas of Adams County, including the unincorporated portions therein, since the Board of County Commissioners last considered the subject of the discharge of firearms, and,

WHEREAS, on this date the Board of County Commissioners held a public meeting to consider the recommendations of the Planning Department.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the firing and discharge of firearms is hereby prohibited, and declared to be unlawful, in all of that part of Adams County as follows: (Sections 25 and 26, Township 3 South, Range 65 West); (Sections 30 and 31, Township 3 South, Range 64 West); (Sections 27, 28, 33 and 34, Township 3 South, Range 63 West); (Sections 27, 28, 33 and 34, Township 3 South, Range 62 West)

BE IT FURTHER RESOLVED, that this resolution shall not apply to any duly authorized law enforcement officer acting in the line of duty and this resolution shall not be interpreted to prohibit the discharge of any firearms in shooting galleries or in any private grounds or residence under circumstances when such firearm can be discharged in such a manner as to prevent the projectile from any such firearm from traversing any grounds or space outside the limits of such shooting gallery, grounds or residence.

Upon motion duly made and seconded the foregoing Resolution was adopted by the following vote:

- Briggs Aye
- Harshbarger Aye
- _____ Aye

Commissioners

I, William Sokol, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

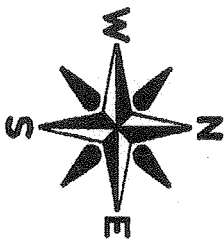
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, this

19th day of February, A.D. 1980

County Clerk and ex-officio Clerk of the Board of County Commissioners.

WILLIAM SOKOL


BY: Donna L. Barber
Deputy

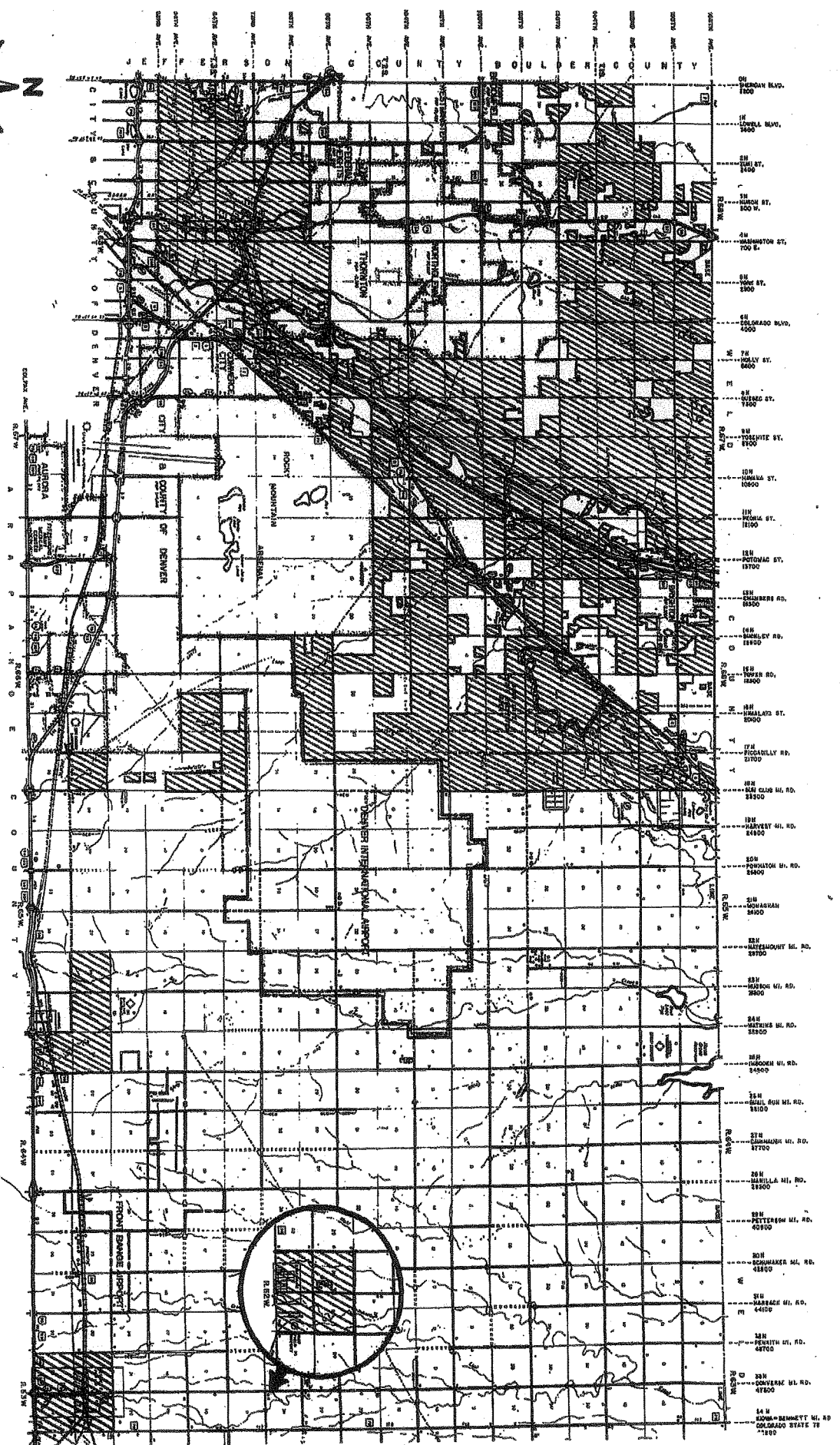


ADAMS COUNTY FIREARMS CONTROL

Adams County restricts discharge of firearms within designated areas east of Gun Club Road and all of that part of Adams County west of Gun Club Road except within incorporated cities and Rocky Mountain Arsenal.

Prepared by Adams County Planning Department 1993

 RESTRICTED AREAS



STATE OF COLORADO)
COUNTY OF ADAMS)

At a regular meeting of the Board of County Commissioners for Adams County, Colorado, held at the Administration Building in Brighton, Colorado on the 22nd day of April, 2013 there were present:

Eva J. Henry _____ Chair
Charles "Chaz" Tedesco _____ Commissioner
Erik Hansen _____ Commissioner
Heidi Miller _____ Acting County Attorney
Keisha Hirsch, Deputy _____ Clerk of the Board

when the following proceedings, among others were held and done, to-wit:

RESOLUTION PROHIBITING THE OPEN CARRYING OF FIREARMS IN COUNTY BUILDINGS

WHEREAS, pursuant to Colorado Revised Statute § 30-11-101(2), Adams County has the authority to adopt and enforce resolutions regarding health, safety, and welfare issues; and,

WHEREAS, Colorado Revised Statute § 29-11.7-104, specifically authorizes Adams County to prohibit the open carrying of a firearm in a building or specific area within the jurisdiction of the County; and,

WHEREAS, the Adams County Board of County Commissioners finds that legitimate public safety concerns arise from allowing the open carrying of firearms in county buildings.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the open carrying of firearms in county buildings is hereby prohibited.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Henry _____ Aye
Tedesco _____ Aye
Hansen _____ Aye
Commissioners

STATE OF COLORADO)
County of Adams)

I, Karen Long, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 15th day of April, A.D. 2013.

County Clerk and ex-officio Clerk of the Board of County Commissioners
Karen Long:



By:



Deputy

STATE OF COLORADO)
COUNTY OF ADAMS)

At a regular meeting of the Board of County Commissioners for Adams County, Colorado, held at the Administration Building in Brighton, Colorado on the 8th day of December, 2010 there were present:

Alice J. Nichol _____ Chairman
W.R. "Skip" Fischer _____ Commissioner
Larry W. Pace _____ Commissioner
Hal B. Warren _____ County Attorney
Kristen Hood, Deputy _____ Clerk of the Board

when the following proceedings, among others were held and done, to-wit:

RESOLUTION PROHIBITING THE ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA FACILITIES WITHIN ADAMS COUNTY

WHEREAS, on January 25, 2010, the Board of County Commissioners of Adams County, State of Colorado ("BOCC") adopted a resolution establishing a moratorium on the establishment and operation of medical marijuana dispensaries and medical marijuana growing operations in Adams County ("temporary moratorium"); and

WHEREAS, on July 14, 2010, the BOCC adopted a resolution extending the temporary moratorium ("extended moratorium"), which extension expires on December 31, 2010; and

WHEREAS, the BOCC has extensive authority to regulate land use within Adams County, including, but not limited to, laws relating to the County Planning and Building Codes, §30-28-101, et seq., C.R.S. (2009) and the Local Government Land Use Control Enabling Act, §29-20-101 et seq., C.R.S. (2009); and

WHEREAS, the cultivation, manufacture and sale of medical marijuana was not contemplated at the time the current Adams County Development Standards and Regulations ("ACDSR"), as amended, were adopted, and the BOCC has interpreted the current ACDSR to not include these uses, thus such uses are prohibited in unincorporated Adams County; and

WHEREAS, during the pendency of the temporary moratorium, the 2010 General Assembly adopted legislation which in pertinent part added a new Article 43.3 to Title 12 of the Colorado Revised Statutes, to be known as the Colorado Medical Marijuana Code; and

WHEREAS, the Colorado Medical Marijuana Code clarifies Colorado law regarding the scope and extent of Amendment 20 to the Colorado Constitution ("Article XVIII, Section 14"), and at the same time authorizes a mechanism for the sale, distribution, cultivation, and dispensing of medical marijuana known as a "medical marijuana center," and further authorizes licensing mechanisms known as an "optional premise cultivation operation" and a "medical marijuana-infused products manufacturers' license"; and

WHEREAS, §12-43.3-106 C.R.S. (2010) specifically authorizes in part that the governing body of a county may "vote to prohibit the operation of medical marijuana centers, optional premise cultivation operations, and medical marijuana-infused products manufacturers' licenses"; and

WHEREAS, the BOCC is aware that there has been litigation concerning prohibiting medical marijuana facilities, and probably will be litigation concerning prohibitions of medical marijuana facilities authorized under the Colorado Medical Marijuana Code; and

WHEREAS, the BOCC recognizes the protections afforded by Article XVIII, Section 14 of the Colorado Constitution, and desires to affirm the ability of patients and primary caregivers to otherwise be afforded the protections of Article XVIII, Section 14 of the Colorado Constitution and §25-1.5-106, C.R.S. (2009); and

WHEREAS, the BOCC has considered the options under the Colorado Medical Marijuana Code, and studied the November 2, 2010 election results on various ballot initiatives concerning medical marijuana facilities throughout the State of Colorado and finds in the interests of protecting the health, safety, and welfare of the citizens of Adams County, medical marijuana facilities, including but not limited to medical marijuana centers, optional premise cultivation operations, and medical marijuana-infused products manufacturers in unincorporated Adams County must be prohibited.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Adams, State of Colorado, that establishing or operating medical marijuana facilities, including but not limited to medical marijuana centers, optional premise cultivation operations, and medical marijuana-infused products manufacturers in unincorporated Adams County is hereby prohibited;

BE IT FURTHER RESOLVED that the Board of County Commissioners intends that this prohibition applies to any other land uses not specifically mentioned above which are associated with the dispensing or growing of medical marijuana;

BE IT FURTHER RESOLVED that this prohibition shall not apply to possession and use of medical marijuana by persons who are certified medical marijuana patients in their residences and if the use and possession of medical marijuana by these patients is in accordance with Colorado law and not related to commercial, nonprofit, collective or cooperative uses;

BE IT FURTHER RESOLVED that in order to protect the health, safety and welfare of the citizens of Adams County, this resolution shall take effect immediately upon its passage.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Nichol _____ Aye
Fischer _____ Aye
Pace _____ Aye
Commissioners

STATE OF COLORADO)

County of Adams)

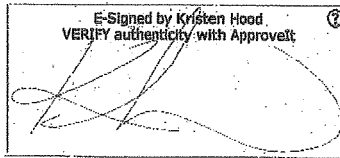
I, Karen Long, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 8th day of December, A.D. 2010.

County Clerk and ex-officio Clerk of the Board of County Commissioners

Karen Long:

By:



Deputy

STATE OF COLORADO)
COUNTY OF ADAMS)

At a regular meeting of the Board of County Commissioners for Adams County, Colorado, held at the Government Center in Brighton, Colorado on the 16th day of December, 2014 there were present:

Charles "Chaz" Tedesco _____ Chair
Eva J. Henry _____ Commissioner
Erik Hansen _____ Commissioner
Heidi Miller _____ County Attorney
Mark Moskowitz, Deputy _____ Clerk of the Board

when the following proceedings, among others were held and done, to-wit:

Resolution 2014-358

RESOLUTION APPROVING MARIJUANA REGULATION AMENDMENTS IN UNINCORPORATED ADAMS COUNTY

WHEREAS, on November 6, 2012, the voters of Colorado approved the adoption of Amendment 64, thereby adding Article XVIII, Section 16, Personal Use and Regulation of Marijuana, to the Colorado Constitution; and

WHEREAS, Article XVIII, Section 16 of the Colorado Constitution provides for the licensing and regulation of recreational marijuana establishments, including marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities and retail marijuana stores; and

WHEREAS, on August 12, 2013, the BOCC passed an ordinance temporarily banning the operation of marijuana establishments including marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, and retail marijuana stores within the boundaries of Unincorporated Adams County, Colorado through December 31, 2014; and

WHEREAS, in November 2000, voters of the State of Colorado passed Amendment 20 to the State's Constitution legalizing medical marijuana; and

WHEREAS, the Colorado Medical Marijuana Code was enacted in legislation passed by the Colorado General Assembly in 2010, which granted local governments the authority to allow or prohibit medical marijuana businesses; and,

WHEREAS, the Colorado Medical Marijuana Code clarifies Colorado law regarding the scope and extent of Amendment 20 to the Colorado Constitution, and authorizes a mechanism for the sale, distribution, cultivation, and dispensing of medical marijuana known as a "medical marijuana center," and further authorizes licensing mechanisms known as an "optional premise cultivation operation" and a "medical marijuana infused products manufacturer"; and

WHEREAS, on December 8, 2010, the BOCC passed a resolution prohibiting the establishment and operation of medical marijuana facilities within Adams County; and

WHEREAS, the BOCC has extensive authority to regulate land use within Adams County, including, but not limited to, laws relating to the County Planning and Building Codes, and the Local Government Land Use Control Enabling Act; and

WHEREAS, the Adams County Planning and Development Department, Neighborhood Services Department, Finance Department, and County Attorney's Office recommend Approval of the Marijuana Regulation Amendments.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that these Marijuana Regulation Amendments, as outlined in Case No. PLN2014-00033, be Approved.

BE IT FURTHER RESOLVED that the portion of these regulations pertaining to medical marijuana establishments shall not come into effect unless and until the BOCC repeals its current prohibition on medical marijuana establishments within Unincorporated Adams County.

BE IT FURTHER RESOLVED that the portion of these regulations pertaining to retail marijuana establishments shall come into effect when the existing temporary ban on retail marijuana establishments within Unincorporated Adams County expires on December 31, 2014.

BE IT FURTHER RESOLVED that the BOCC shall allow a maximum of 10 marijuana establishments, including a maximum of any combination of 3 retail marijuana stores / medical marijuana centers (in the event medical marijuana operations are allowed in Unincorporated Adams County); a maximum of any combination of 3 marijuana cultivation facilities / medical marijuana optional premises cultivation operations (in the event medical marijuana operations are allowed in Unincorporated Adams County); a maximum of any combination of 3 retail marijuana product manufacturing facilities / medical marijuana infused products manufacturers (in the event medical marijuana operations are allowed in Unincorporated Adams County); and a maximum of 1 retail marijuana testing facility, through December 31, 2015.

BE IT FURTHER RESOLVED that in the event that the County receives more than 10 qualifying applications for marijuana establishments as specified above, the County reserves the right to establish a process to fairly select which establishments shall be approved.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Henry _____ Aye
Tedesco _____ Aye
Hansen _____ Nay
Commissioners

STATE OF COLORADO)
County of Adams)

I, Karen Long, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 16th day of December, A.D. 2014.

County Clerk and ex-officio Clerk of the Board of County Commissioners

Karen Long:



By:



Deputy

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING LOCAL MARIJUANA LICENCING REGULATIONS IN
UNINCORPORATED ADAMS COUNTY

Resolution 2015-305

WHEREAS, in November 2000, voters of the State of Colorado passed Amendment 20, thereby adding Article XVIII, Section 14, Medical Use of Marijuana for Persons Suffering from Debilitating Medical Conditions, to the Colorado Constitution, which provided an affirmative defense to patients and primary caregivers against criminal charges for the use of medical marijuana; and,

WHEREAS, the Colorado Medical Marijuana Code, Colorado Revised Statute (C.R.S.) § 12-43.3-101, *et. seq.* was enacted by the Colorado General Assembly in 2010, which granted local governments the authority to allow or prohibit medical marijuana businesses; and,

WHEREAS, the Colorado Medical Marijuana Code also authorized a mechanism for the sale, distribution, cultivation, and dispensing of medical marijuana through licensed establishments known as medical marijuana centers, optional premise cultivation operations, and medical marijuana infused products manufacturers; and

WHEREAS, on December 8, 2010, the Adams County Board of Commissioners ("BoCC") passed a resolution prohibiting the establishment and operation of medical marijuana facilities within unincorporated Adams County; and

WHEREAS, on November 6, 2012, the voters of Colorado approved the adoption of Amendment 64, thereby adding Article XVIII, Section 16, Personal Use and Regulation of Marijuana, to the Colorado Constitution; and

WHEREAS, Article XVIII, Section 16 of the Colorado Constitution provides for the licensing and regulation of recreational marijuana establishments, including marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities and retail marijuana stores; and

WHEREAS, on August 12, 2013, the BoCC passed an ordinance temporarily banning the operation of marijuana establishments including marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, and retail marijuana stores within the boundaries of unincorporated Adams County, Colorado through December 31, 2014; and

WHEREAS, on December 16, 2014 the BoCC approved marijuana regulation amendments to the Adams County Development Standards and Regulations which provided for the land use regulation of marijuana businesses in unincorporated Adams County; and,

WHEREAS, the BoCC now intends to adopt the attached Adams County Marijuana Licensing Regulations that are attached hereto and fully incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the attached Adams County Marijuana Licensing Regulations are hereby approved.

BE IT FURTHER RESOLVED that the portion of the licensing regulations pertaining to medical marijuana establishments shall not be effective unless and until the BOCC repeals its current prohibition on medical marijuana establishments within unincorporated Adams County.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Tedesco	_____	Aye
O'Dorisio	_____	Aye
Henry	_____	Aye
Hansen	_____	Nay
Pawlowski	_____	Nay

Commissioners

STATE OF COLORADO)
County of Adams)

I, Stan Martin, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 30th day of June, A.D. 2015.

County Clerk and ex-officio Clerk of the Board of County Commissioners

Stan Martin:



By:

E-Signed by: Eriza Hannah
VERIFY authenticity with e-Sign

Deputy

**ADAMS COUNTY, COLORADO
MARIJUANA LICENSING REGULATIONS**

Part I. General Provisions

Section 1.01 Title

These Regulations shall be known and referred to as the "Adams County Marijuana Licensing Regulations" (referred to herein as "Regulations").

Section 1.02 Authority

These Regulations are adopted pursuant to Colorado Const., Art. XVIII, §16(5)(f); the Colorado Medical Marijuana Code, C.R.S. §12-43.3-101, et seq. ("Medical Marijuana Code"), the Colorado Retail Marijuana Code, C.R.S. §12-43.3-101, et. seq., ("Retail Marijuana Code"), C.R.S. §30-11-101(1)(e), (2); and C.R.S. §30-11-107(1)(i).

Section 1.03 Purpose

The purpose of these Regulations is to establish the requirements for obtaining a local license for a Medical Marijuana Establishment and/or a Retail Marijuana Establishment. In addition to meeting all requirements under these Regulations, local medical marijuana and retail marijuana establishments must obtain the corresponding license from the State of Colorado.

Section 1.04 Application of Regulations

1.04.01 These Regulations apply throughout the unincorporated areas of Adams County, Colorado, including public and state lands.

1.04.02 All activities that require a local medical marijuana and/or a local retail marijuana license must be conducted in accordance with these regulations.

1.04.03 These Regulations shall in no way limit application and enforcement of any statutes of the State of Colorado but shall be in addition thereto.

Section 1.05 General Requirements

1.05.01 All persons who are engaged in or who are attempting to engage in the cultivation, manufacture, distribution, testing and/or sale of marijuana in any form shall do so only in strict compliance with the terms, conditions, limitations and restrictions in Section 14 and Section 16 of Article XVIII of the Colorado Constitution, the Colorado Marijuana Code, these Regulations, the Adams County Development Standards and Regulations, and all other State and local laws and regulations.

1.05.02 Local medical marijuana licenses and local retail marijuana licenses can only be authorized after the applicant(s) has obtained the corresponding conditional state medical marijuana license(s) and/or state retail marijuana license(s). Conditional state licenses will only

meet this requirement if the only remaining condition on that license is the issuance of a Local License. The issuance of any local licenses issued pursuant to these Regulations is specifically conditioned on the applicant/Licensee obtaining and maintaining a valid license of the same type for the same activity, at the same location issued by the State Licensing Authority.

1.05.03 Either a County-issued Building Permit or a County-issued Change-in-Use Permit is required prior to obtaining a County-issued medical marijuana license(s) and/or a County-issued retail marijuana license(s).

1.05.04 A local marijuana license may be requested by, without limitation, any owner or person having an interest in the property on which the medical marijuana or retail marijuana use is proposed to be located. The applicant has the burden of proof to demonstrate the use fully complies with all state and local standards and regulations and meets the criteria for approval.

Section 1.06 Definitions

1.06.01 Unless otherwise defined herein, the terms in these Regulations shall have the same meaning as set forth in Sections 14 and 16 of Article XVIII of the Colorado Constitution, Article 43.3 and Article 43.4 of Title 12, C.R.S. and any rules promulgated pursuant thereto.

1.06.02 The following words and phrases, when used in these Regulations, shall have the meanings respectively assigned to them:

1. "Building Permit" means a development permit issued by the Adams County Building Department or any other County office before any building or construction activity can be initiated on a parcel of land. Any Building Permit(s) must be granted conditional approval prior to obtaining a local medical marijuana license(s) and/or a local retail marijuana license(s).

2. "Change-in-Use Permit" means a development permit issued by the Adams County Building Department or any other County office, applicable whenever the essential character or nature of the activity conducted on a lot changes. All Change-in-Use Permits require zoning review and building permit approval. A Change-in-Use is required when active and continuous operations are not carried on in a building or property during a continuous period of six months; when the change is from one principally permitted use category to another; if the property consists of multiple buildings/tenants, when the required amount of parking stalls is increased by 25 percent or more, and/or when the gross floor area is increased by 50 percent or more; or when as determined within the Non-conforming Conditions section of Chapter 4 of the County's Development Standards and Regulations. Any required Change-in-Use Permit(s) must be granted conditional approval prior to obtaining a local medical marijuana license(s) and/or a local retail marijuana license(s).

3. "Colorado Marijuana Code" means both the Colorado Medical Marijuana Code and the Colorado Retail Marijuana Code as defined herein.

4. "Colorado Medical Marijuana Code" means Section 14 of Article XVIII of the Colorado Constitution and Article 43.3 of Title 12 of the Colorado Revised Statutes, as amended and any rules promulgated pursuant thereto.
5. "Colorado Retail Marijuana Code" means Section 16 of Article XVIII of the Colorado Constitution and Article 43.4 of Title 12 of the Colorado Revised Statutes, as amended and any rules promulgated pursuant thereto.
6. "Good Cause," for purposes of refusing or denying an initial license issuance, or for refusing or denying a license renewal or reinstatement, means:
 - a. The licensee or applicant has violated, does not meet, or has failed to comply with any of the terms, conditions or provisions of these Regulations, the Adams County Development Standards and Regulations, any provision of the Colorado Marijuana Code, of any regulations and rules promulgated pursuant to State law, any applicable state or local taxes, or any supplemental local rules and regulations;
 - b. The licensee or applicant has failed to comply with any special terms or conditions that were placed on its license pursuant to an order of the State Licensing Authority or of the Local Licensing Authority;
 - c. The licensed premises have been operated in a manner that adversely affects the public health, safety or welfare or the safety of the immediate neighborhood in which the establishment is located.
7. "License" means: (a) to grant a license or registration pursuant to these Regulations; and (b) (i) Official or legal permission to do a specific thing; (ii) Proof of permission granted in the form of a document.
8. "Licensed Premises" means the premises specified in an application for a license under these Regulations, which are owned or in possession of the licensee and within which the licensee is authorized to cultivate, manufacture, distribute, test, or sell marijuana in accordance with the provisions of these Regulations and in accordance with the provisions of the Colorado Marijuana Code and any rules adopted pursuant thereto.
9. "Licensee" means a person licensed or registered pursuant to these Regulations.
10. "Limited Access Areas" means and shall be a building, room or other contiguous area upon the licensed premises where marijuana is grown, cultivated, stored, weighed, displayed, packaged, sold or possessed for sale, under control of the licensee, with limited access to only those persons licensed by the State Licensing Authority.
11. "Local Licensing Authority" means the Board of County Commissioners of the County of Adams, Colorado, or its designee.

12. "Location" means a particular parcel of land that may be identified by an address or other descriptive means.
13. "Marijuana" means both Medical Marijuana and Retail Marijuana as those terms are defined herein.
14. "Marijuana Establishment" means both a Medical Marijuana Establishment and a Retail Marijuana Establishment as those terms are defined herein.
15. "Medical Marijuana" means marijuana that is grown and sold pursuant to the provisions of these regulations, the Colorado Medical Marijuana Code and Section 14 of Article XVIII of the Colorado Constitution.
16. "Medical Marijuana Center" means a person licensed pursuant to these Regulations and pursuant to C.R.S. § 12-43.3-101, et seq., to operate a business as described in these regulations and as is further described in C.R.S. § 12-43.3-402 that sells medical marijuana to registered patients or primary caregivers as defined in Section 14 of Article XVIII of the Constitution of the State of Colorado, but is not a primary caregiver.
17. "Medical Marijuana Establishment" means a medical marijuana center, medical marijuana-infused products manufacturing operation, or an optional premise cultivation operation.
18. "Medical Marijuana-Infused Product" means a product infused with medical marijuana that is intended for use or consumption other than by smoking, including, but not limited to edible products, ointments, and tinctures.
19. "Medical Marijuana-Infused Products Manufacturer" means a person licensed pursuant to these Regulations and to C.R.S. § 12-43.3-101, et seq. to operate a business as described in these regulations and as is also described in C.R.S. § 12-43.3-404.
20. "Operating fees" means fees that must be paid by a Retail Marijuana Establishment licensee for the costs of administering and enforcing these Regulations.
21. "Optional Premises" means the premises specified in an application for a medical marijuana center license with related growing facilities in Adams County, Colorado for which the licensee is authorized to grow and cultivate marijuana for a purpose authorized by Section 14 of Article XVIII of the Colorado Constitution.
22. "Optional Premises Cultivation Operation" means a person licensed pursuant to these Regulations and the Colorado Medical Marijuana Code as defined therein.
25. "Owner" means any person having a beneficial interest, as defined by the State Licensing Authority, in a Marijuana Establishment.

26. "Person" means a natural person, partnership, association, entity, company, corporation, limited liability company, or organization, or a manager, agent, owner, director, or officer thereof; except that "Person" does not include any governmental organization.
27. "Premises" means a distinct and definite location, which may include a building, a part of a building, a room or any other definite contiguous area.
28. "Retail Marijuana" means marijuana that is grown, tested, manufactured, and/or sold pursuant to the provisions of these regulations, the Colorado Retail Marijuana Code and Section 16 of Article XVIII of the Colorado Constitution.
29. "Retail Marijuana Cultivation Facility" means a person licensed pursuant to these Regulations and the Colorado Retail Marijuana Code as defined therein.
30. "Retail Marijuana Establishment" means a retail marijuana store, a retail marijuana cultivation facility, a retail marijuana product manufacturing facility, or a retail marijuana testing facility as set forth in Section 16 of Article XVIII of the Colorado Constitution and as may be more fully defined in the Colorado Retail Marijuana Code.
31. "Retail Marijuana-Infused Products Manufacturer" means a person licensed pursuant to these Regulations and the Colorado Retail Marijuana Code as defined therein.
32. "Retail Marijuana Store" means a person licensed pursuant to these Regulations and the Colorado Retail Marijuana Code as defined therein.
33. "Retail Marijuana Testing Facility" means a person licensed pursuant to these Regulations and the Colorado Retail Marijuana Code as defined therein.
34. "Sale" or "Sell" includes to exchange, barter, or traffic in, to solicit or receive and order except through a licensee licensed under these Regulations, to deliver for value in any way other than gratuitously, to peddle or possess with intent to sell, or to traffic in for any in for any consideration promised or obtained directly or indirectly.
36. "State Licensing Authority" means the authority created for the purpose of regulating and controlling the licensing of the cultivation, manufacture, distribution, testing and sale of marijuana in this State pursuant to the Colorado Marijuana Code.
37. "Storage Warehouse" shall mean a premise permitted to store marijuana pursuant to these Regulations, the Adams County Development Standards and Regulations, and the Colorado Marijuana Code.

Part II. Local Licensing Authority

Section 2.01 Establishment of Local Licensing Authority

The Board of County Commissioners or its designee shall serve as the licensing authority for medical marijuana and retail marijuana for the purpose of regulating and controlling the licensing of the cultivation, manufacture, distribution, testing and/or sale of medical marijuana, retail marijuana, medical marijuana-infused products, and/or retail marijuana-infused products in unincorporated Adams County; and is hereby designated to act as the local licensing authority for Adams County within the meaning of the Colorado Marijuana Code.

Section 2.02 Powers

2.02.01 The Local Licensing Authority shall have all of the powers described the Colorado Marijuana Code, including, but not limited to, to hear and determine at a public hearing any applications for a local license, any contested local license denial, and complaints against a Licensee, and administer oaths and issue subpoenas to require the presence of person and the production of papers, books, and records necessary to the determination of any hearing so held.

2.02.02 The Local Licensing Authority shall have the power and authority to suspend, fine, restrict or revoke such licenses upon a violation of these Regulations, or any rules promulgated pursuant to these Regulations and/or upon a violation of the provisions of Colorado Marijuana Code.

2.02.03 Nothing in these Regulations shall be construed to limit a law enforcement agency's ability to investigate unlawful activity in relation to a license issued pursuant to these Regulations.

Part III. Types of Licenses

Section 03.01 Licenses

03.01.01 The Local Licensing Authority is authorized to issue the following types or classes of licenses for the purpose of regulating Marijuana Establishments. The Local Licensing Authority, in its discretion, and upon application in the prescribed form made to it, may issue and grant to an applicant a Marijuana Establishment license subject to the provisions and restrictions provided in these Regulations, from any of the following classes:

1. Medical Marijuana Center License;
2. Medical Marijuana Optional Premises Cultivation Operation License;
3. Medical Marijuana Infused Products Manufacturing License;
4. Retail Marijuana Store License;
5. Retail Marijuana Cultivation Facility License;
6. Retail Marijuana Product Manufacturing Facility License;
7. Retail Marijuana Testing Facility License;

Part IV. Applications: Procedures, Hearings and Determinations

Section 04.01 Application Procedures

04.01.01 The Local Licensing Authority or its designee shall be the administrative agent for the purposes of disseminating applications for licenses pursuant to these Regulations and related materials, for the purpose of receiving applications and fees and for the purpose of making determinations of completeness. Upon receipt of a Marijuana Establishment application, the Local Licensing Authority or its designee shall review the application for completeness.

04.01.02 An application for a license shall be filed with the State Licensing Authority on forms provided by the State Licensing Authority, and shall contain such information as the State Licensing Authority may require, and with the Local Licensing Authority on any additional forms as the Local Licensing Authority may require. Each application and any supporting documentation or submittals shall be verified by the oath or affirmation of the persons submitting the application and any other person as may be prescribed by the State or Local Licensing Authority.

04.01.03 An applicant shall file at the time of application for a license pursuant to these Regulations an application for a Building Permit and/or a Change-in-Use Permit and plans and specifications for the interior of the building if the building to be occupied is in existence at the time of the application. If the building is not in existence at the time of the application, the applicant shall file a plot plan and a detailed sketch for the interior and shall further submit an architect's drawing of the building to be constructed. The local or State licensing authority may impose additional requirements necessary for making a determination of completeness and further submission of the application to the Local Licensing Authority for consideration of approval.

04.01.04 An applicant shall file with the Local Licensing Authority the following at the time of application for a license pursuant to these Regulations:

1. An operating plan for the proposed Marijuana Establishment including the following information:
 - a. A description of the products and services to be provided by the facility.
 - b. A floor plan showing all interior dimensions of the licensed premises and the layout of the Marijuana Establishment, including all limited access areas, areas of ingress and egress, and all security cameras. Such floor plan shall also show the principal uses of the floor area depicted therein; for cultivation facilities, such floor plan shall distinguish all dimensions of areas in which plants are located;
 - c. A description of the design of the establishment evidencing that the design conforms to applicable Adams County laws and regulations;
 - d. A security plan indicating how the applicant intends to comply with the requirements of the Colorado Marijuana Code.
2. A statement of whether or not any person holding any ownership interest has:

- a. Been denied an application for a Marijuana Establishment license by the state in this or any other jurisdiction or had such a license suspended or revoked; and
- b. Been convicted of a felony or has completed any portion of a sentence due to a felony charge within the preceding five (5) years.

3. Proof that the applicant has completed and satisfied the Building Permit Review and/or Change-in-Use Permit Review as required by the Development Standards and Regulations of Adams County.

4. All licensing, operating, and other fees due and payable to operate a Marijuana Establishment as determined by the Local Licensing Authority.

5. Any additional document(s) or information reasonably requested by the Local Licensing Authority.

6. Applications will be deemed submitted only when complete and when accompanied by the applicable fees. The Local Licensing Authority or its designee shall inform the applicant in writing of its determination of whether or not the application is complete within twenty (20) days of its receipt of the application. Such determination shall be expressed in writing and shall identify those matters which prevent the determination of completeness or which shall inform that the application has been accepted as being complete. An applicant who has been denied a determination of completeness may resubmit the application to correct any deficiencies in completeness.

Section 04.02 Hearings

04.02.01 Upon receipt of an application for a license and upon a determination by the Local Licensing Authority that the same is complete in accordance with these regulations, the Local Licensing Authority shall schedule a public hearing upon the application to be held not less than thirty (30) days after the date of the determination of completeness. The Local Licensing Authority shall post and publish public notice of such hearing not less than ten days prior to the hearing. Public notice shall be given by the posting of a sign in a conspicuous place on the premises for which application has been made and, further, by publication in a newspaper of general circulation in Adams County. Notice given by posting shall include a sign of suitable material, not less than twenty-two inches wide and twenty-six inches high, composed of letters not less than one inch in height and stating the type of license applied for, the date that the application has been determined to be complete, the date of the hearing, the name and address of the applicant and such other information as may be required to apprise the public of the nature of the application. The sign shall also contain the names and addresses of the officers, directors, or managers of the facility to be licensed. The notice given by publication shall contain the same information. If the building in which the marijuana is to be manufactured, cultivated, or sold is in existence at the time of the application, a sign shall be posted in such place so as to be conspicuous and plainly visible to the general public. If the building is not yet constructed at the time of application, the applicant shall post a sign at the premises upon which the building is to be constructed in such a manner that the notice shall be conspicuous and plainly visible to the general public.

04.02.02 No less than ten days prior to the date of a scheduled public hearing on a license application, the Local Licensing Authority shall make known, based upon its investigation to date, its findings concerning the initial requirements of an application and its preliminary findings concerning whether or not the same appears to meet the standards and requirements set forth in these Regulations. The writing shall be directed to the applicant and copies of the same shall be made available to other parties of interest. Nothing in the initial findings issued prior to the hearing shall conclusively bind the Local Licensing Authority who after the hearing has the authority to issue or refuse to issue a license for good cause in accordance with the terms and provisions and conditions and standards of these regulations and those set forth in State law and regulation.

Section 04.03 Determinations.

04.03.01 Prior to making its final decision approving or denying the application, the Local Licensing Authority may consider the facts and evidence adduced as a result of its preliminary investigation as well as any other facts pertinent to the type of license for which application has been made, including the number, type and availability of Marijuana Establishments located in or near the premises under consideration, and any other pertinent matters affecting the qualifications of the applicant for the conduct of the type of business proposed and whether the applicant will comply with these Regulations and the Colorado Marijuana Code.

04.03.02 Within 30 days after the public hearing, the Local Licensing Authority shall issue its decision approving or denying an application for local licensure. The decision shall be in writing and shall state the reasons for the decision. The Local Licensing Authority shall send a copy of the decision by certified mail to the State and to the applicant at the address shown on the application. Any decision approving a license application may include certain conditions imposed by the Local Licensing Authority in addition to compliance with all of the terms and conditions of these Regulations and compliance with State law and regulation.

04.03.04 The Local Licensing Authority may deny any application for a license that is not in compliance with these Regulations, the Colorado Marijuana Code, any other applicable state or local law or regulation, or for good cause. Notwithstanding, the Local License Authority may issue a conditional license.

04.03.05 In the event that the Local Licensing Authority approves an application, the license shall not issue until the building in which the business is to be conducted is ready for occupancy with such furniture, fixtures, and equipment in place as are necessary to comply with the applicable provisions of State law and regulations promulgated pursuant thereto; and then only after the Local Licensing Authority has inspected the premises to determine that the applicant has complied with the architect's drawing and the plot plan and the detailed sketch for the interior of the building submitted with the application.

Part V. Standards

Section 05.01 Licensing Standards

05.01.01 A license provided by these Regulations shall not be issued to or held by any person or entity prohibited as licensees under any Local or State law, rule or regulations.

05.01.02 The Local Licensing Authority shall not receive or act upon an application for the issuance of a local license pursuant to these Regulations:

1. Until it is established that the applicant is, or will be, entitled to possession of the premises for which application is made under a lease, rental agreement or other arrangement for possession of the premises, or by virtue of ownership of the premises;

2. For a location in an area where the cultivation, manufacture, distribution, storage, testing, and/or sale of marijuana as contemplated herein is not expressly permitted under the provisions of the Adams County Development Standards and Regulations.

3. For a location that does not meet and comport with the distance, isolation and/or separation distances required for the cultivation, manufacture, distribution, storage, testing, and/or sale of marijuana as contemplated herein under the provisions of the Adams County Development Standards and Regulations.

05.01.03 The Local Licensing Authority may, in its discretion, deny the grant of a license provided by these Regulations to any person or entity who has prior to or on the date of the application made misrepresentations concerning the business for which the license is being sought on the application or on any of the submittals made with an application.

05.01.04 The Local Licensing Authority may deny a license if the evidence presented does not establish that the premises upon which the license is to be located can be operated by the licensee in a manner that will not adversely affect the public health or welfare or the safety of the immediate neighborhood in which the establishment is to be located or for good cause. The Local Licensing Authority may place conditions upon the approval of any license which are reasonably related to the furtherance, in the opinion of the Local Licensing Authority, and protection of the health, safety and welfare of the neighborhood in which the establishment is to be located and of the general public.

05.01.05 Prior to granting a license, the Local Licensing Authority may further consider all of the requirements of these Regulations, the Colorado Marijuana Code, any applicable state or local law or regulation, and all other reasonable restrictions that are or may be placed upon the licensee by the Licensing Authority.

05.01.06 No license otherwise approved pursuant to these Regulations shall be issued until the license, application fees and any licensing or operating fees due to the State of Colorado and/or the County of Adams have been fully paid and received. Licenses granted pursuant to these Regulations shall be valid for a period not to exceed one year from the date of issuance

unless revoked or suspended pursuant to these Regulations and/or pursuant to the provisions of State law and regulation.

05.01.07 The Local Licensing Authority in its discretion may revoke or elect not to renew any license if it determines that the licensed premises have been inactive, without good cause, for a period of at least one year.

05.01.08 A license provided and issued pursuant to these Regulations shall specify the date of issuance, the period of licensure (1 year from the date of issuance), the name of the licensee and the premises licensed. The licensee shall conspicuously place the license at all times on the licensed premises or upon an optional premises license pursuant hereto.

05.01.09 The Local Licensing Authority shall issue a license under this article when, after thorough consideration of the application, and from review of such other information as required by these Regulations or the Marijuana Code, the Authority determines that the applicant complies with all of the requirements of these Regulations and the Colorado Marijuana Code.

Section 05.02 Operation Standards

05.02.01 A Medical Marijuana Establishment shall not acquire, possess, cultivate, deliver, transfer, transport, supply, or dispense marijuana for any purpose except to assist the patients as defined by Section 14(1) of Article XVIII of the Colorado Constitution or other applicable state law.

05.02.02 A Retail Marijuana Establishment shall not acquire, possess, cultivate, deliver, store, test, transfer, transport, supply, or dispense marijuana for any purpose except as permitted by the Colorado Retail Marijuana Code.

05.02.03 Each person licensed pursuant to these Regulations shall keep and maintain all records specified in the Colorado Marijuana Code and shall make the same open, at all times, during business hours for the inspection and examination of the Local Licensing Authority or its duly authorized representatives. A failure to maintain such records and to allow for inspection of the same as well as a failure to allow the inspection of the licensed premises by the Local Licensing Authority shall constitute a violation of these Regulations and such violation may, in the discretion of the Local Licensing Authority, form or constitute the basis for a summary suspension, a suspension, fines and/or revocation of the licensee's license.

05.02.04 No medical marijuana center or retail marijuana store approved pursuant to these Regulations may sell marijuana at any time except between the hours of 8:00am to 7:00pm for a medical marijuana center and between the hours of 9:00am to 9:00pm for a retail marijuana store, unless a more restrictive time is set by the Colorado Marijuana Code.

05.02.05 All sales receipts at retail marijuana stores shall contain the Statement, "It is illegal to transfer or sell marijuana or marijuana products to anyone under the age of 21."

05.02.06 All Retail Marijuana Establishments shall post a sign in a conspicuous location stating:

IT IS ILLEGAL TO SELL OR TRANSFER MARIJUANA TO ANYONE UNDER THE AGE OF TWENTY-ONE. IT IS ILLEGAL TO SEND OR TRANSPORT MARIJUANA TO ANOTHER STATE. THE POSSESSION OF MARIJUANA REMAINS A CRIME UNDER FEDERAL LAW.

05.02.07 A Marijuana Establishment shall be equipped with a proper ventilation system that filters the odor of marijuana.

05.02.08 All Marijuana Establishments, including but not limited to any places where marijuana is grown, stored, cultivated, sold, tested or dispensed, shall be subject to inspection by the Board of County Commissioners or Local Licensing Authority or its designee, and any other state or local law enforcement personnel during all business hours or other times of apparent activity, for the purpose of inspection or investigation. The Local Licensing Authority and its designee may conduct unannounced or covert compliance inspections. For examination of any inventory or books and records required to be kept by the licensees, access shall be given during business hours. Where any part of the licensed premises consists of a locked area, upon demand to the licensee, such area shall be made available for inspection without delay and, upon request by authorized representatives of the Local Licensing Authority, the licensee shall open the area for inspection. Each licensee shall retain all books and records necessary to show fully the business transactions of the licensee for a period of the current tax year and the three immediately prior tax years and these records shall be made available to the Adams County Finance Department or its designee for the purposes of determining compliance with the requirements of any county sales tax.

Part VI. Duties of Licensee

Section 06.01 Possession of Licensed Premises

At all times subsequent to the issuance of a license under Regulations, a licensee shall possess and maintain possession of the premises or optional premises for which the license is issued by ownership, lease, rental or other arrangement for possession and use of the premises.

Section 06.02 Notice of Changes

06.02.01 A licensee of a license issued pursuant to these Regulations shall report each transfer or change of financial interest in the license and/or the licensee to the Local Licensing Authority prior to any such transfer or change pursuant to and in accordance with the provisions of the Colorado Marijuana Code. A report shall be required for transfers of capital stock of any corporation regardless of size, for transfers of member interests of any limited liability company regardless of size, and for any transfer of an interest in a partnership or other entity or association regardless of size.

06.02.02 A Marijuana Establishment shall notify the Local Licensing Authority in writing within ten (10) days after an owner, officer, or employee ceases to work at, manage, own or

otherwise be associated with the operation. The owner, officer or employee shall surrender his or her identification card to the State Licensing Authority on or before the date of notification. A licensed operation shall also notify the Local Licensing Authority in writing of the name, address, and date of birth of an owner, officer, manager or employee within ten (10) days of the new owner, officer or employee begins working at, managing, owning or being associated with the operation.

06.02.03 A Licensee shall notify the Local Licensing Authority in writing if its state license of the same type for the same type of activity at the same Location as that issued by the Local Licensing Authority has been denied, expired, renewed, revoked or transferred within three days of the change.

Section 06.03 Publicly Display Licenses

The Licensee shall conspicuously display the local and the state issued licenses at all times on the Licensed Premises.

Part VI. License Renewals

Section 06.01. Renewal Requirements

06.01.01 A licensee shall apply for the renewal of an existing license to the Local Licensing Authority not less than 45 days prior to the date of the expiration of the license. Except as hereinafter provided, the Local Licensing Authority shall not accept an application for renewal of a license after the date of expiration.

06.01.02 The Local Licensing Authority may, in its discretion, schedule a hearing on the application for renewal if the licensee has had complaints filed against it, if the licensee has a history of violation(s), or if the licensee has committed any unlawful acts and/or if there are allegations against the licensee that would constitute good cause as that term is defined herein. In the event that a hearing is scheduled, notice of such hearing shall be posted on the licensed premises for a period of 10 days prior to the hearing and the applicant shall be notified of such hearing at least 10 days prior to the hearing. The hearing and the more specific requirements of notice shall comport with the other provisions of these Regulations concerning public hearings. All renewal applications shall be approved by the Local Licensing Authority if no hearing is scheduled. The Local Licensing Authority may refuse to renew any license for good cause as that term is defined in these regulations. If an applicant has been denied a local medical marijuana license(s) and/or a local retail marijuana license(s), then that applicant shall be required to wait 12 months before re-applying for a local medical marijuana license(s) and/or a local retail marijuana license(s) at that location, unless waived by the Local Licensing authority

06.01.03 Notwithstanding the provisions of the previous subsections of these Regulations, a licensee whose license has expired for not more than 90 days may file a late renewal application upon the payment of a nonrefundable late license fee of seven thousand five hundred dollars (\$7500.00) to the Local Licensing Authority. A licensee who files a late renewal application and pays the requisite fee may continue to operate until the Local Licensing Authority has taken final action to approve or deny the licensee's late renewal application.

06.01.04 The Local Licensing Authority shall not accept a late renewal application more than 90 days after the expiration of the licensee's permanent annual license. A licensee whose license has been expired for more than 90 days shall not, under any circumstances, cultivate, manufacture, distribute, test or sell any marijuana until a new required license has been obtained.

Part VII. Transfer of Ownership

Section 07.01 Transfer of Ownership Requirements

07.01.01 A license granted under the provisions of this Chapter shall not be transferrable to any other person except as provided in this Chapter.

07.01.02 For a transfer of ownership, a license holder shall apply to the State and local licensing authorities on forms specifically prepared and furnished for this purpose by the State Licensing Authority. In determining whether to permit a transfer of ownership, the Local Licensing Authority shall consider the requirements of the Colorado Marijuana Code. In addition, no application for a transfer of ownership will be considered by the Local Licensing Authority if, at the time of such application, the licensee is under a notice of violation or other unlawful acts issued by either the Local Licensing Authority or the State Licensing Authority.

07.01.03 The Local Licensing Authority may hold a hearing on a request for transfer of ownership, but not prior to the posting of a notice of said hearing on the licensed premises for a period of at least 10 days prior to the hearing and, further, a notice of the hearing must be issued to the applicant at least ten days prior to the hearing. Notice of such hearing and, further, the hearing itself, shall comply with the requirements for a hearing upon an application for a local license as are more particularly set forth in these Regulations.

Part VIII. Change of Licensed Location/ Modification of a Premise

Section 08.01 Change of Licensed Locations Requirements

08.01.01 A licensee may apply to the Local Licensing Authority to change the location previously approved for such license to any other place in unincorporated Adams County, but it shall be unlawful to cultivate, manufacture, distribute, test, store or sell medical or retail marijuana at any such place or location until express permission to do so is granted by the State and the Local Licensing Authority.

08.01.02 A Retail Marijuana Establishment licensee in any Colorado jurisdiction may transfer its license to Adams County so long as the State approves the transfer and the applicant completes the application process set forth in these Regulations and otherwise complies with all the requirements of these Regulations and the Colorado Marijuana Code. It shall be unlawful to cultivate, manufacture, distribute, test, store or sell medical or retail marijuana at any such place or location until express permission to do so is granted by the State and the Local Licensing Authority.

08.01.03 All changes in location shall be subject to all of the requirements for new applications under these Regulations including a public hearing and the Local Licensing Authority shall consider all reasonable restrictions that are placed upon the current license and/or which may be placed upon the new location by the Local Licensing Authority pursuant to the hearing process set forth in these Regulations and provided the new location complies with the provisions of the Adams County Development Standards and Regulations

Section 08.02 Modification of a Premise

08.02.1 Any major modification to a premise that significantly affects the operation of an establishment must be approved by the Local Licensing Authority in advance. In addition, any modification to a premise must comply with all applicable Adams County codes and regulations.

Part IX. Dual Operation

Section 09.01 Dual Operation Requirements

09.01.01 A person who holds both a license to operate a Medical Marijuana Establishment and a license to operate a Retail Marijuana Establishment may operate both licenses in the same premises ("dual operation") provided the licensee meets the requirements of the Colorado Marijuana Code and these Regulations.

09.01.02 A medical marijuana center licensee may also hold a retail marijuana store license and operate a retail business operation on the same licensed premises provided that the licensee does not authorize patients under the age of 21 years to be on the premises. The licensee must post signage that clearly states "You must be 21 years of age or older to enter this premises." The licensee may display both medical marijuana and retail marijuana on the same sales floor, provided the licensee maintains virtual separation of its inventory. A medical marijuana center that authorizes medical marijuana patients under the age of 21 years to be on the premises cannot share its premises with a retail marijuana establishment and the two shall maintain distinctly separate licensed premises.

09.01.03 A medical marijuana optional premise cultivation operation licensee may also hold a retail marijuana cultivation license on the same premises. Persons operating dual medical and retail cultivation operations shall maintain virtual separation of the facilities, marijuana plants, and marijuana inventory.

09.01.04 A medical marijuana-infused product manufacturer licensee may also hold a retail marijuana-infused product manufacturer license on the same premises. Persons operating a medical marijuana-infused products manufacturing business and a retail marijuana products manufacturing facility shall maintain virtual separation of the facilities, product ingredients, product manufacturing, and final product inventory.

09.01.05 No dual premises shall be permitted for a retail marijuana store or medical marijuana center and each premise licensed hereto shall designate either a retail marijuana store or a medical marijuana center.

Part X. Fees

Section 10.01 Operating and Renewal Fees

10.01.01 Operating fees and all other fees necessary for the administration, regulation, and implementation of these Regulations are as follows:

1. Initial Operating Fees
 - a. Medical Marijuana Center: \$15,000.00
 - b. Medical Marijuana Optional Premise Cultivation Facility: \$15,000.00
 - c. Medical Marijuana Infused Product Manufacturing Facility: \$15,000.00
 - d. Retail Marijuana Store: \$15,000.00
 - e. Retail Marijuana Cultivation Facility: \$15,000.00
 - f. Retail Marijuana Infused Product Manufacturing Facility: \$15,000.00
 - g. Retail Marijuana Testing Facility: \$15,000.00
2. Administrative Operating Fees
 - a. Change of Location Fee: \$15,000.00
 - b. Modification of Premises Fee: \$5,000
3. Annual Renewal Fees
 - a. Medical Marijuana Center: \$15,000.00
 - b. Medical Marijuana Optional Premise Cultivation Facility: \$15,000.00
 - c. Medical Marijuana Infused Product Manufacturing Facility: \$15,000.00
 - d. Retail Marijuana Store: \$15,000.00
 - e. Retail Marijuana Cultivation Facility: \$15,000.00
 - f. Retail Marijuana Infused Product Manufacturing Facility: \$15,000.00
 - g. Retail Marijuana Testing Facility: \$15,000.00
4. Late Renewal Fees
 - a. Late Renewal fees for all allowed establishments: \$7,500

10.01.02 The Board of County Commissioners may revise application, license and operating fees by resolution.

10.01.03 The Local Licensing Authority by rule or regulation shall set the due dates for any fee due pursuant to these Regulations.

Part XI. License Violations and Enforcement

Section 11.01 License Violations

11.01.01 It is a violation of the terms and conditions of every license issued under these Regulations to cultivate, manufacture, distribute, store, test or sell marijuana, except in compliance with the terms, conditions, limitations and restrictions in Sections 14 and 16 of Article XVIII of the State Constitution, the Colorado Marijuana Code, all state laws, rules and regulations, the provisions of these Regulations, the provisions of the Adams County Development Standards and Regulations, and any conditions imposed on a license. In addition to

any criminal charges or penalties that may be imposed by law enforcement, any licensee who commits any violation of this section shall be subject to a summary suspension, a suspension, fines, and/or a revocation of its license.

11.01.02 It is a violation of these Regulations and, further, a violation of each license issued pursuant to these Regulations for a person or licensee to commit any act or omission that is unlawful pursuant to the Colorado Marijuana Code. In addition to any criminal charges or penalties that may be imposed by law enforcement, any licensee who commits any acts that are a violation of or unlawful pursuant to these Regulations and/or pursuant to the Colorado Marijuana Code shall be subject to a summary suspension, a suspension, fines, and/or a revocation of its license.

Section 11.02 Enforcement

11.02.01 In addition to any other civil or criminal sanction prescribed by Colorado law or rules promulgated pursuant thereto, the Local Licensing Authority has the power, on its own motion or on complaint, after investigation and opportunity for a hearing at which the licensee shall be afforded an opportunity to be heard, to fine, restrict, suspend or revoke a license issued by the Local Licensing Authority for a violation by the licensee or by any of the agents or employees of the licensee of the provisions of these Regulations, the Colorado Marijuana Code and/or of any of the other terms, conditions or provisions of the license issued by the Local Licensing Authority. Summary suspension, suspension, revocation and/or fines may be imposed by the Local Licensing Authority and in commencing and concluding such actions, the Local Licensing Authority shall comport with the provisions of the Colorado Marijuana Code.

11.02.02 In deciding whether a license should be fined, suspended or revoked in accordance with these Regulations, and in deciding what conditions to impose in the event of a suspension, if any, the Local Licensing Authority shall consider:

1. The nature and seriousness of the violation;
2. Corrective action, if any, taken by the licensee;
3. Prior violation(s), if any, at the licensed premises by the licensee and the effectiveness of prior corrective action, if any;
4. The likelihood of recurrence;
5. All circumstances surrounding the violation;
6. Whether the violation was willful;
7. The length of time the license has been held by the licensee;
8. The number of violations by the licensee within the applicable twelve (12) month period;
9. Previous sanctions, if any, imposed against the licensee;
10. Whether the licensee has a responsible vendor designation;
11. Whether the licensee supports other local businesses including without limitation the display of local art or use of local ancillary businesses;
12. Whether the licensee has contributed to or been involved in a charitable giving program; and

13. Any other factor making the situation with respect to the licensee or the licensed premises unique.

11.02.03 Notice of suspension or revocation shall be given by mailing the same in writing to the licensee at the licensee's last address of record with the Local Licensing Authority.

11.02.04 Any recommended conditions or agreements between the licensee and the Local Licensing Authority shall be presented to the Local Licensing Authority. The Local Licensing Authority in its discretion may accept such condition or agreement, or reject the condition.

11.02.05 Requests to pay a fine in lieu of serving a suspension period shall be heard by the Local Licensing Authority before the suspension period is set to begin.

11.02.06 The remedies provided in these Regulations are in addition to any other remedy provided by applicable law.

Part XII. Compliance with State Law

Section 12.01 Compliance Required

12.01.01 To the extent the State has adopted or adopts in the future any additional or stricter laws or regulations governing the sale or distribution of marijuana, the additional or stricter regulations shall control the establishment or operation of any Marijuana Establishment in Adams County.

12.01.02 Compliance with any applicable State law or regulation shall be deemed an additional requirement for issuance of any license under these Regulations, and noncompliance with any applicable State law or regulation shall be grounds for denial of a license and/or fines, administrative action, revocation, or suspension of any license issued hereunder.

12.01.03 Any Marijuana Establishment licensed pursuant to these Regulations may be required to demonstrate, upon demand by the Local Licensing Authority or by law enforcement officers that the source and quantity of any marijuana found upon the licensed premises is in full compliance with any applicable State law or regulation.

Part XIV Storage Warehouses

Any person licensed pursuant to these Regulations may operate a storage warehouse for medical and/or retail marijuana provided they meet all the requirements of the Colorado Marijuana Code and all other state and local laws, rules and regulations, and provided that the storage warehouse is located in a place where warehouses are permitted and is otherwise in compliance with the Adams County Development Standards and Regulations.

Part XIV Judicial Review

Decisions by the Local Licensing Authority are subject to judicial review pursuant to C.R.S. § 24-4-106.

Part XIII. Severability

If any provision of these Regulations or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these Regulations that can be given effect without the invalid provision or application, and to this end the provisions of these Regulations are declared to be severable.

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION EXTENDING THE LIMIT OF TEN MARIJUANA ESTABLISHMENTS IN
UNINCORPORATED ADAMS COUNTY

Resolution 2015-307

WHEREAS, on December 16, 2014 the Adams County Board of Commissioners ("BoCC") approved marijuana regulation amendments to the Adams County Development Standards and Regulations which provided for the land use regulation of marijuana businesses in unincorporated Adams County; and,

WHEREAS, on December 16, 2014, the BoCC also placed a temporary limit on the number of authorized marijuana establishments, thereby allowing a maximum of ten marijuana establishments in unincorporated Adams County through December 31, 2015; and,

WHEREAS, the BoCC now intends to extend the limit on the number of authorized marijuana establishments beyond December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the BOCC shall allow a maximum of ten marijuana establishments, including a maximum of any combination of three retail marijuana stores / medical marijuana centers (in the event medical marijuana operations become allowed in unincorporated Adams County); a maximum of any combination of three marijuana cultivation facilities / medical marijuana optional premises cultivation operations (in the event medical marijuana operations become allowed in unincorporated Adams County); a maximum of any combination of three retail marijuana product manufacturing facilities / medical marijuana infused products manufacturers (in the event medical marijuana operations become allowed in unincorporated Adams County); and a maximum of one retail marijuana testing facility.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Tedesco	_____	Aye
O'Dorisio	_____	Aye
Henry	_____	Aye
Hansen	_____	Nay
Pawlowski	_____	Nay

Commissioners

STATE OF COLORADO)
County of Adams)

I, Stan Martin, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 30th day of June, A.D. 2015.

County Clerk and ex-officio Clerk of the Board of County Commissioners

Stan Martin:



By:

E-Signed by Erica Hannah/②
VERIFY Authenticity with e-Sign

Handwritten signature of Erica Hannah in blue ink.

Deputy

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING MARIJUANA LICENSING CAPS AND REGULATION
AMENDMENTS IN UNINCORPORATED ADAMS COUNTY

Resolution 2020-168

WHEREAS, on November 6, 2012, the voters of Colorado approved the adoption of Amendment 64, thereby adding Article XVIII, Section 16, Personal Use and Regulation of Marijuana, to the Colorado Constitution; and,

WHEREAS, Article XVIII, Section 16 of the Colorado Constitution provides for the licensing and regulation of recreational marijuana establishments, including marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, and retail marijuana stores; and,

WHEREAS, the Board of County Commissioners (BoCC) has extensive authority to regulate land use within Adams County, including, but not limited to, laws relating to the County Planning and Building Codes, and the Local Government Land Use Control Enabling Act; and,

WHEREAS, on December 16, 2014, the BoCC voted to approve the maximum number of marijuana establishment licenses in unincorporated Adams County; and,

WHEREAS, on December 11, 2018 after careful consideration and evaluation of the County's marijuana regulations, the BOCC revised and increased the maximum number of allowed marijuana establishments in Unincorporated Adams County from 10 to 12 establishments, adding 2 additional retail marijuana stores; and,

WHEREAS, the BoCC now wishes to convert the one (1) unused Marijuana Testing Facility License to a Retail Marijuana Store License; and,

WHEREAS, upon conversion of the unused Marijuana Testing Facility License to a Retail Marijuana Store License, the allowed establishments will consist of: a maximum of six (6) Retail Marijuana Store Licenses, a maximum of three (3) Retail Marijuana Cultivation Facility Licenses, a maximum of three (3) Retail Marijuana Product Manufacturing Facility Licenses.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the unused Marijuana Testing Facility License is hereby converted to a Retail Marijuana Store License, and the Marijuana Licensing Caps and Regulations are hereby amended as set forth in this resolution.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Henry _____ Aye
Tedesco _____ Aye
Pinter _____ Aye
O'Dorisio _____ Aye
Hodge _____ Aye
Commissioners

STATE OF COLORADO)
County of Adams)

I, Josh Zygielbaum, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 31st day of March A.D. 2020.

County Clerk and ex-officio Clerk of the Board of County Commissioners

Josh Zygielbaum:



By:



Deputy

STATE OF COLORADO)
COUNTY OF ADAMS)

At a regular meeting of the Board of County Commissioners for Adams County, Colorado, held at the Government Center in Brighton, Colorado on the 28th day of July, 2020 there were present:

Eva J. Henry	_____	Commissioner
Charles "Chaz" Tedesco	_____	Commissioner
Emma Pinter	_____	Commissioner
Steve O'Dorisio	_____	Commissioner
Mary Hodge	_____	Commissioner
Heidi Miller	_____	County Attorney
Erica Hannah	_____	Clerk to the Board

when the following proceedings, among others were held and done, to-wit:

RESOLUTION APPROVING AMENDMENTS TO THE MARIJUANA LICENSING
REGULATIONS IN UNINCORPORATED ADAMS COUNTY

Resolution 2020-452

WHEREAS, on November 6, 2012, the voters of Colorado approved the adoption of Amendment 64, thereby adding Article XVIII, Section 16, Personal Use and Regulation of Marijuana, to the Colorado Constitution; and,

WHEREAS, Article XVIII, Section 16 of the Colorado Constitution provides for the licensing and regulation of recreational marijuana businesses, including marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, retail marijuana stores, and marijuana hospitality businesses; and,

WHEREAS, on the 28th day of July, 2020, the BoCC voted to approve amendments to the County's licensing regulations to add marijuana hospitality as permitted by HB19-1230; and,

WHEREAS, after careful consideration and evaluation of the County's marijuana regulations, the BoCC hereby establishes a total of five (5) licenses for marijuana hospitality which include a Marijuana Hospitality Business License and Retail Marijuana Hospitality and Sales Business Licenses; and,

WHEREAS, the BoCC further permits that a licensed Marijuana Hospitality Business may also apply for a Marijuana Hospitality Mobile License a total of two (2) Marijuana Hospitality Mobile Licenses will be permitted for each licensed Marijuana Hospitality Business.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the amendments to the Marijuana Licensing Regulations, a copy of which is attached hereto and incorporated herein by reference, be approved.

BE IT FURTHER RESOLVED, that if the County receives more applications than the currently allowed marijuana establishments, it reserves the right to establish a process to fairly select additional establishments for approval.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Henry _____ Aye
Tedesco _____ Aye
Pinter _____ Aye
O'Dorisio _____ Aye
Hodge _____ Aye
Commissioners

STATE OF COLORADO)
County of Adams)

I, Josh Zygielbaum, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

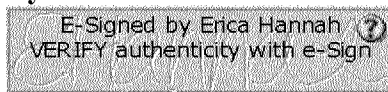
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 28th day of July A.D. 2020.

County Clerk and ex-officio Clerk of the Board of County Commissioners

Josh Zygielbaum:



By:



Deputy

**ADAMS COUNTY, COLORADO
MARIJUANA LICENSING REGULATIONS**

Part I. General Provisions

Section 1.01 Title

These Regulations shall be known and referred to as the “Adams County Marijuana Licensing Regulations” (referred to herein as “Regulations”).

Section 1.02 Authority

These Regulations are adopted pursuant to Colorado Const., Art. XVIII, §16(5)(f); the Colorado Marijuana Code, C.R.S. §44-10-101, et seq. , C.R.S. §30-11-101(1)(e), (2); and C.R.S. §30-11-107(1)(i).

Section 1.03 Purpose

The purpose of these Regulations is to establish the requirements for obtaining a local license for a Medical Marijuana Business and/or a Retail Marijuana Business. In addition to meeting all requirements under these Regulations, local medical marijuana and retail marijuana businesses must obtain the corresponding license from the State of Colorado.

Section 1.04 Application of Regulations

1.04.01 These Regulations apply throughout the unincorporated areas of Adams County, Colorado, including public and state lands.

1.04.02 All activities that require a local medical marijuana and/or a local retail marijuana license must be conducted in accordance with these regulations.

1.04.03 These Regulations shall in no way limit application and enforcement of any statutes of the State of Colorado but shall be in addition thereto.

Section 1.05 General Requirements

1.05.01 All persons who are engaged in or who are attempting to engage in the cultivation, manufacture, distribution, testing, consumption and/or sale of marijuana in any form shall do so only in strict compliance with the terms, conditions, limitations and restrictions in Section 14 and Section 16 of Article XVIII of the Colorado Constitution, the Colorado Marijuana Code, these Regulations, the Adams County Development Standards and Regulations, and all other State and local laws and regulations.

1.05.02 Local medical marijuana licenses and local retail marijuana licenses can only be authorized after the applicant(s) has obtained the corresponding conditional state medical marijuana license(s) and/or state retail marijuana license(s). Conditional state licenses will only meet this requirement if the only remaining condition on that license is the issuance of a Local

License. The issuance of any local licenses issued pursuant to these Regulations is specifically conditioned on the applicant/Licensee obtaining and maintaining a valid license of the same type for the same activity, at the same location issued by the State Licensing Authority.

1.05.03 Either a County-issued Building Permit or a County-issued Change-in-Use Permit is required prior to obtaining a County-issued medical marijuana license(s) and/or a County-issued retail marijuana license(s).

1.05.04 A local marijuana license may be requested by, without limitation, any owner or person having an interest in the property on which the medical marijuana or retail marijuana use is proposed to be located. The applicant has the burden of proof to demonstrate the use fully complies with all state and local standards and regulations and meets the criteria for approval.

Section 1.06 Definitions

1.06.01 Unless otherwise defined herein, the terms in these Regulations shall have the same meaning as set forth in Sections 14 and 16 of Article XVIII of the Colorado Constitution, Article 10 of Title 44, C.R.S. and any rules promulgated pursuant thereto.

1.06.02 The following words and phrases, when used in these Regulations, shall have the meanings respectively assigned to them:

1. “Board of County Commissioners” means the Adams County Board of County Commissioners

2. “Building Permit” means a development permit issued by the Adams County Building Department or any other County office before any building or construction activity can be initiated on a parcel of land. Any Building Permit(s) must be granted conditional approval prior to obtaining a local medical marijuana license(s) and/or a local retail marijuana license(s).

3. “Change-in-Use Permit” means a development permit issued by the Adams County Building Department or any other County office, applicable whenever the essential character or nature of the activity conducted on a lot changes. All Change-in-Use Permits require zoning review and building permit approval. A Change-in-Use is required when active and continuous operations are not carried on in a building or property during a continuous period of six months; when the change is from one principally permitted use category to another; if the property consists of multiple buildings/tenants, when the required amount of parking stalls is increased by 25 percent or more, and/or when the gross floor area is increased by 50 percent or more; or when as determined within the Non-conforming Conditions section of Chapter 4 of the County’s Development Standards and Regulations. Any required Change-in-Use Permit(s) must be granted conditional approval prior to obtaining a local medical marijuana license(s) and/or a local retail marijuana license(s).

4. “Colorado Marijuana Code” means Sections 14 and 16 of Article XVIII of the Colorado Constitution and C.R.S. §44-10-101, et seq., as amended, and any rules promulgated pursuant thereto..

5. “Consumption Area” means a designated and secured area within the Licensed Premises of a Hospitality Business where consumers can use and consume marijuana and where no one under the age of 21 is permitted.
6. “Development Standards and Regulations” means the Adams County Development Standards and Regulations as adopted by the Adams County Board of County Commissioners.
7. “Good Cause,” for purposes of refusing or denying an initial license issuance, or for refusing or denying a license renewal or reinstatement, means:
 - a. The licensee or applicant has violated, does not meet, or has failed to comply with any of the terms, conditions or provisions of these Regulations, the Adams County Development Standards and Regulations, any provision of the Colorado Marijuana Code, of any regulations and rules promulgated pursuant to State law, any applicable state or local taxes, or any supplemental local rules and regulations;
 - b. The licensee or applicant has failed to comply with any special terms or conditions that were placed on its license pursuant to an order of the State Licensing Authority or of the Local Licensing Authority;
 - c. The licensed premises have been operated in a manner that adversely affects the public health, safety or welfare or the safety of the immediate neighborhood in which the establishment is located.
8. “Hospitality Business” means a designated and secured area within the Licensed Premises of a Hospitality Business where consumers can use and consume marijuana and where no one under the age of 21 is permitted.
9. “License” means: (a) to grant a license or registration pursuant to these Regulations; and (b) (i) Official or legal permission to do a specific thing; (ii) Proof of permission granted in the form of a document.
10. “Licensing Regulations” means the Adams County Licensing Regulations as adopted by the Adams County Board of County Commissioners.
11. “Licensed Hospitality Business” means a Marijuana Hospitality Business or Retail Marijuana Hospitality and Sales Business.
12. “Licensed Premises” means the premises specified in an application for a license under these Regulations, which are owned or in possession of the licensee and within which the licensee is authorized to cultivate, manufacture, distribute, test, consume or sell marijuana in accordance with the provisions of these Regulations and in accordance with the provisions of the Colorado Marijuana Code and any rules adopted pursuant thereto.
13. “Licensee” means a person licensed or registered pursuant to these Regulations.

14. “Limited Access Areas,” subject to the provisions of C.R.S. §44-10-1001, means a building, room or other contiguous area upon the licensed premises where regulated marijuana is consumed grown, cultivated, stored, weighed, packaged, sold, possessed for sale, , under control of the licensee, with limited access to only those persons licensed by the State Licensing Authority and those visitors escorted by a person licensed by the state licensing authority. All areas of ingress or egress or limited access areas must be clearly identified as such by a sign as designated by the state licensing authority.
15. “Local Licensing Authority” means the Board of County Commissioners of the County of Adams, Colorado, or its designee.
16. “Location” means a particular parcel of land that may be identified by an address or other descriptive means.
17. “Marijuana” means both Medical Marijuana and Retail Marijuana as those terms are defined herein.
18. “Marijuana Business” means both a Medical Marijuana Business and a Retail Marijuana Business as those terms are defined herein.
19. “Marijuana Hospitality Business” means an entity licensed pursuant to these Regulations and pursuant to C.R.S. § 44-12-101, et seq., to permit the use or consumption of marijuana within a Consumption Area.
20. “Medical Marijuana” means marijuana that is grown and sold pursuant to the provisions of these regulations, the Colorado Marijuana Code and Section 14 of Article XVIII of the Colorado Constitution.
21. “Medical Marijuana Store” means a person licensed pursuant to these Regulations and pursuant to C.R.S. § 44-10-101, et seq., to operate a business as described in these Regulations and as is further described in C.R.S. § 44-10-501 that sells medical marijuana to registered patients or primary caregivers as defined in Section 14 of Article XVIII of the Constitution of the State of Colorado, but is not a primary caregiver.
22. “Medical Marijuana Business” means a medical marijuana store, medical marijuana products manufacturing operation, or an optional premise cultivation operation.
23. “Medical Marijuana Product” means a product infused with medical marijuana that is intended for use or consumption other than by smoking, including, but not limited to edible products, ointments, and tinctures.
24. “Medical Marijuana Products Manufacturer” means a person licensed pursuant to these Regulations and to C.R.S. § 44-10-101, et seq. to operate a business as described in these regulations and as is also described in C.R.S. § 44-10-503.

25. “Mobile Premises” means a licensed premises operated by a Marijuana Hospitality Business in a motor vehicle, which includes any self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways or a low-speed electric vehicle; but does not include electrical assisted bicycles, electric scooters, low-power scooters, wheelchairs, or vehicles moved solely by human power.
26. “Operating fees” means fees that must be paid by a Retail Marijuana Business licensee for the costs of administering and enforcing these Regulations.
27. “Operations” means the business activities that a Hospitality Business engages in to provide a service to their customers.
28. “Outdoor Consumption Area” means a Consumption Area that is outdoors and surrounded by a sight-obscuring wall, fence, hedge, or other opaque or translucent barrier.
29. “Owner” means any person having a beneficial interest, as defined by the State Licensing Authority, in a Marijuana Business.
30. “Person” means an individual, an estate, a trust, an entity, or a state or other jurisdiction.
31. “Premises” means a distinct and definite location, which may include a building, a part of a building, a room or any other definite contiguous area.
32. “Permitted Use” means a use permitted by right in a zone district. The use must comply with all applicable standards for the use or uses and all County and State regulations in order to be permitted.
33. “Restricted Access Area” means a designated and secure area within a Licensed Premises in a Medical Marijuana Store where Medical Marijuana is sold to patients, possessed for sale, and displayed for sale, and where no one without a valid patient registry card is permitted, and 2) in a Retail Marijuana Store or a Retail Marijuana Hospitality And Sales Business where Retail Marijuana is sold to consumers, possessed for sale, and displayed for sale, and where no one under the age of 21 is permitted.
34. “Retail Marijuana” means marijuana that is grown, tested, manufactured, and/or sold pursuant to the provisions of these regulations, the Colorado Marijuana Code and Section 16 of Article XVIII of the Colorado Constitution, that is cultivated, manufactured, distributed, or sold by a licensed retail marijuana business. If the context requires, retail marijuana includes retail marijuana concentrate and retail marijuana products.
35. “Retail Marijuana Cultivation Facility” means a person licensed pursuant to these Regulations and the Colorado Code as defined therein and in Section 16 of the Colorado Constitution.

36. “Retail Marijuana Business” means a retail marijuana store, a retail marijuana cultivation facility, a retail marijuana product manufacturing facility, a retail marijuana hospitality and sales business, a marijuana hospitality business, or a retail marijuana testing facility as set forth in Section 16 of Article XVIII of the Colorado Constitution and as may be more fully defined in the Colorado Marijuana Code.

37. “Retail Marijuana Hospitality and Sales Business” means an entity licensed to (1) purchase Retail Marijuana from a Retail Marijuana Business, (2) Transfer Retail Marijuana to consumers, and (3) permit the use or consumption of Retail Marijuana transferred to a consumer within the Restricted Access Area.

38. “Retail Marijuana Products Manufacturer” means a person licensed pursuant to these Regulations and the Colorado Marijuana Code as defined therein.

39. “Retail Marijuana Store” means a person licensed pursuant to these Regulations and the Colorado Marijuana Code as defined therein.

40. “Sale” or “Sell” includes to exchange, barter, or traffic in, to solicit or receive and order except through a licensee licensed under these Regulations, to deliver for value in any way other than gratuitously, to peddle or possess with intent to sell, or to traffic in for any in for any consideration promised or obtained directly or indirectly.

41. “State Licensing Authority” means the authority created for the purpose of regulating and controlling the licensing of the cultivation, manufacture, distribution, testing and sale of marijuana in this State pursuant to the Colorado Marijuana Code.

42. “Storage Warehouse” shall mean a premise permitted to store marijuana pursuant to these Regulations, the Adams County Development Standards and Regulations, and the Colorado Marijuana Code.

Part II. Local Licensing Authority

Section 2.01 Establishment of Local Licensing Authority

The Board of County Commissioners or its designee shall serve as the licensing authority for medical marijuana and retail marijuana for the purpose of regulating and controlling the licensing of the cultivation, manufacture, distribution, testing and/or sale of medical marijuana, retail marijuana, medical marijuana products, and/or retail marijuana products in unincorporated Adams County; and is hereby designated to act as the local licensing authority for Adams County within the meaning of the Colorado Marijuana Code.

Section 2.02 Powers

2.02.01 The Local Licensing Authority shall have all of the powers described the Colorado Marijuana Code, including, but not limited to, to hear and determine at a public hearing any applications for a local license, any contested local license denial, and complaints against a Licensee, and administer oaths and issue subpoenas to require the presence of person and the production of papers, books, and records necessary to the determination of any hearing so held.

2.02.02 The Local Licensing Authority shall have the power and authority to suspend, fine, restrict or revoke such licenses upon a violation of these Regulations, or any rules promulgated pursuant to these Regulations and/or upon a violation of the provisions of Colorado Marijuana Code.

2.02.03 Nothing in these Regulations shall be construed to limit a law enforcement agency's ability to investigate unlawful activity in relation to a license issued pursuant to these Regulations.

Part III. Types of Licenses

Section 03.01 Licenses

03.01.01 The Local Licensing Authority is authorized to issue the following types or classes of licenses for the purpose of regulating Marijuana Businesses. The Local Licensing Authority, in its discretion, and upon application in the prescribed form made to it, may issue and grant to an applicant a Marijuana Business license subject to the provisions and restrictions provided in these Regulations, from any of the following classes:

1. Medical Marijuana Store License;
2. Medical Marijuana Cultivation Facility License;
3. Medical Marijuana Product Manufacturing Facility License;
4. Retail Marijuana Store License;
5. Retail Marijuana Cultivation Facility License;
6. Retail Marijuana Product Manufacturing Facility License;
7. Marijuana Hospitality Business
 - a. Mobile Premises
8. Retail Marijuana Hospitality and Sales Business

Part IV. Applications: Procedures, Hearings and Determinations

Section 04.01 Application Procedures

04.01.01 The Local Licensing Authority or its designee shall be the administrative agent for the purposes of disseminating applications for licenses pursuant to these Regulations and related materials, for the purpose of receiving applications and fees and for the purpose of

making determinations of completeness. Upon receipt of a Marijuana Business application, the Local Licensing Authority or its designee shall review the application for completeness.

04.01.02 An application for a license shall be filed with the State Licensing Authority on forms provided by the State Licensing Authority, and shall contain such information as the State Licensing Authority may require, and with the Local Licensing Authority on any additional forms as the Local Licensing Authority may require. Each application and any supporting documentation or submittals shall be verified by the oath or affirmation of the persons submitting the application and any other person as may be prescribed by the State or Local Licensing Authority.

04.01.03 An applicant shall file at the time of application for a license pursuant to these Regulations an application for a Building Permit and/or a Change-in-Use Permit and plans and specifications for the interior of the building if the building to be occupied is in existence at the time of the application. If the building is not in existence at the time of the application, the applicant shall file a plot plan and a detailed sketch for the interior and shall further submit an architect's drawing of the building to be constructed. The local or State licensing authority may impose additional requirements necessary for making a determination of completeness and further submission of the application to the Local Licensing Authority for consideration of approval.

04.01.04 An applicant shall file with the Local Licensing Authority the following at the time of application for a license pursuant to these Regulations:

1. Address of the proposed licensed premises
2. Name, address, and date of birth of all applicants, including any trade names or assumed names of any related businesses, and the name, address, date of birth and fingerprints of any manager for which the application is being made. In the event of an entity applicant, the form shall also contain the name, address, and date of birth for all persons who own ten (10) percent or more of the entity or will receive ten (10) percent or more of the profits of the entity;
3. A statement of whether or not any person holding any ownership interest has:
 - a. Been denied an application for a Marijuana Establishment license by the state in this or any other jurisdiction or had such a license suspended or revoked; and
 - b. Been convicted of a felony or has completed any portion of a sentence due to a felony charge within the preceding five (5) years.
4. An operating plan for the proposed Marijuana Business including the following information:
 - a. A description of the products and services to be provided by the facility.
 - b. A floor plan showing all interior dimensions of the licensed premises and the layout of the Marijuana Business, including all limited access areas, areas of ingress and egress, and all security cameras. Such floor plan shall also show the principal uses of the floor area depicted therein; for cultivation facilities, such floor plan shall distinguish all dimensions of areas in which plants are located; for hospitality businesses or retail hospitality and sales

businesses, location of proposed designated hospitality area where the privileges of the hospitality license may be exercised;

c. Proof of possession or permission detailing the applicant's right to use the designated hospitality area for the purpose of permitting marijuana consumption;

d. A description of the design of the business evidencing that the design conforms to applicable Adams County laws and regulations;

e. A security plan indicating how the applicant intends to comply with the requirements of the Colorado Marijuana Code;

f. A detailed description as to how the applicant's employees and agents would prevent underage persons from entering the designated hospitality area;

g. The applicant's employee training manual or employee policy addressing issues related to the consumption of both alcohol and marijuana, as applicable, as well as strategies and procedures for identifying and responding to the potential over-intoxication of consumers;

1. Employees shall be trained regarding the various products sold at the Retail Hospitality and Sales Business, including potency of the products, absorption time, and effects of the products;

2. Employees shall educate all customers as to the items mentioned in subsection (1) in an effort to ensure responsible consumption;

h. A description of the proposed hours of operation;

i. A health and sanitation plan for hospitality businesses and retail hospitality and sales businesses that demonstrates how rental marijuana consumption accessories will be cleaned and sanitized prior to each rental, if the applicant intends to provide rental marijuana consumption accessories to consumers, within designated hospitality areas;

5. A Community Engagement Plan including the following information:

a. The name, telephone number, and email address of the person affiliated with the applicant who is responsible for neighborhood outreach and engagement.

b. An outreach plan to contact and engage residents and businesses in the local neighborhoods where any license is located.

c. A detailed description of any plan to create positive impacts in the neighborhoods where the licensed premises are located, which may include by way of example, participation in community service, volunteer service, and active promotion of any local neighborhood plans.

d. Written policies and procedures to timely address any concerns or complaints expressed by residents and businesses within the neighborhood surrounding the licensed premises.

e. Written policies and procedures designed to promote and encourage full participation in the regulated marijuana industry by people from communities that have previously been disproportionately harmed by marijuana prohibition and enforcement in order to positively impact those communities.

f. Referral of licenses to the pertinent County referral agencies.

6. Mobile Premises

a. Each Mobile Premises is required to obtain a separate license;

- b. The Marijuana Hospitality Business must provide the following information to the County regarding its Mobile Premises;
1. Documentation that the Mobile Premises is owned or leased by the Marijuana Hospitality Business;
 2. The vehicle manufacture/make, model, and year associated with the Mobile Premises;
 3. Proof that the Mobile Premises is equipped with a global position system capable of tracking the Mobile Premises;
 4. Proof that the Mobile Premises is equipped with video surveillance inside of the Mobile Premises;
 5. Proof that the Mobile Premises is equipped with proper screening methods to ensure that the consumption activity is not visible outside the vehicle;
7. Proof that the applicant has completed and satisfied the Building Permit Review and/or Change-in-Use Permit Review as required by the Development Standards and Regulations of Adams County.
8. All licensing, operating, and other fees due and payable to operate a Marijuana Business as determined by the Local Licensing Authority.
9. Any additional document(s) or information reasonably requested by the Local Licensing Authority.
10. Applications will be deemed submitted only when complete and when accompanied by the applicable fees. The Local Licensing Authority or its designee shall inform the applicant in writing of its determination of whether or not the application is complete within twenty (20) days of its receipt of the application. Such determination shall be expressed in writing and shall identify those matters which prevent the determination of completeness or which shall inform that the application has been accepted as being complete. An applicant who has been denied a determination of completeness may resubmit the application to correct any deficiencies in completeness.

Section 04.02 Hearings

04.02.01 Upon receipt of an application for a license and upon a determination by the Local Licensing Authority that the same is complete in accordance with these regulations, the Local Licensing Authority shall schedule a public hearing upon the application to be held not less than thirty (30) days after the date of the determination of completeness. The Local Licensing Authority shall post and publish public notice of such hearing not less than ten days prior to the hearing. Public notice shall be given by the posting of a sign in a conspicuous place on the premises for which application has been made and, further, by publication in a newspaper of general circulation in Adams County. Notice given by posting shall include a sign of suitable material, not less than twenty-two inches wide and twenty-six inches high, composed of letters not less than one inch in height and stating the type of license applied for, the date that the application has been determined to be complete, the date of the hearing, the name and address of the applicant and such other information as may be required to apprise the public of the nature of

the application. The sign shall also contain the names and addresses of the officers, directors, or managers of the facility to be licensed. The notice given by publication shall contain the same information. If the building in which the marijuana is to be manufactured, cultivated, sold, or consumed is in existence at the time of the application, a sign shall be posted in such place so as to be conspicuous and plainly visible to the general public. If the building is not yet constructed at the time of application, the applicant shall post a sign at the premises upon which the building is to be constructed in such a manner that the notice shall be conspicuous and plainly visible to the general public.

04.02.02 No less than ten days prior to the date of a scheduled public hearing on a license application, the Local Licensing Authority shall make known, based upon its investigation to date, its findings concerning the initial requirements of an application and its preliminary findings concerning whether or not the same appears to meet the standards and requirements set forth in these Regulations. The writing shall be directed to the applicant and copies of the same shall be made available to other parties of interest. Nothing in the initial findings issued prior to the hearing shall conclusively bind the Local Licensing Authority who after the hearing has the authority to issue or refuse to issue a license for good cause in accordance with the terms and provisions and conditions and standards of these regulations and those set forth in State law and regulation.

Section 04.03 Determinations.

04.03.01 Prior to making its final decision approving or denying the application, the Local Licensing Authority may consider the facts and evidence adduced as a result of its preliminary investigation as well as any other facts pertinent to the type of license for which application has been made, including the number, type and availability of Marijuana Businesses located in or near the premises under consideration, and any other pertinent matters affecting the qualifications of the applicant for the conduct of the type of business proposed and whether the applicant will comply with these Regulations and the Colorado Marijuana Code.

04.03.02 Within 30 days after the public hearing, the Local Licensing Authority shall issue its decision approving or denying an application for local licensure. The decision shall be in writing and shall state the reasons for the decision. The Local Licensing Authority shall send a copy of the decision by certified mail to the State and to the applicant at the address shown on the application. Any decision approving a license application may include certain conditions imposed by the Local Licensing Authority in addition to compliance with all of the terms and conditions of these Regulations and compliance with State law and regulation.

04.03.04 The Local Licensing Authority may deny any application for a license that is not in compliance with these Regulations, the Colorado Marijuana Code, any other applicable state or local law or regulation, or for good cause. Notwithstanding, the Local License Authority may issue a conditional license.

04.03.05 In the event that the Local Licensing Authority approves an application, the license shall not issue until the building in which the business is to be conducted is ready for occupancy with such furniture, fixtures, and equipment in place as are necessary to comply with

the applicable provisions of State law and regulations promulgated pursuant thereto; and then only after the Local Licensing Authority has inspected the premises to determine that the applicant has complied with the architect's drawing and the plot plan and the detailed sketch for the interior of the building submitted with the application.

Part V. Standards

Section 05.01 Licensing Standards

05.01.01 A license provided by these Regulations shall not be issued to or held by any person or entity prohibited as licensees under any Local or State law, rule or regulations.

05.01.02 The Local Licensing Authority shall not receive or act upon an application for the issuance of a local license pursuant to these Regulations:

1. Until it is established that the applicant is, or will be, entitled to possession of the premises for which application is made under a lease, rental agreement or other arrangement for possession of the premises, or by virtue of ownership of the premises;

2. For a location in an area where the cultivation, manufacture, distribution, storage, sale and/or consumption of marijuana as contemplated herein is not expressly permitted under the provisions of the Adams County Development Standards and Regulations.

3. For a location that does not meet and comport with the distance, isolation and/or separation distances required for the cultivation, manufacture, distribution, storage, sale and/or consumption of marijuana as contemplated herein under the provisions of the Adams County Development Standards and Regulations.

05.01.03 The Local Licensing Authority may, in its discretion, deny the grant of a license provided by these Regulations to any person or entity who has prior to or on the date of the application made misrepresentations concerning the business for which the license is being sought on the application or on any of the submittals made with an application.

05.01.04 The Local Licensing Authority may deny a license if the evidence presented does not establish that the premises upon which the license is to be located can be operated by the licensee in a manner that will not adversely affect the public health or welfare or the safety of the immediate neighborhood in which the establishment is to be located or for good cause. The Local Licensing Authority may place conditions upon the approval of any license which are reasonably related to the furtherance, in the opinion of the Local Licensing Authority, and protection of the health, safety and welfare of the neighborhood in which the establishment is to be located and of the general public.

05.01.05 Prior to granting a license, the Local Licensing Authority may further consider all of the requirements of these Regulations, the Colorado Marijuana Code, any applicable state or local law or regulation, and all other reasonable restrictions that are or may be placed upon the licensee by the Licensing Authority.

05.01.06 No license otherwise approved pursuant to these Regulations shall be issued until the license, application fees and any licensing or operating fees due to the State of Colorado and/or the County of Adams have been fully paid and received. Licenses granted pursuant to these Regulations shall be valid for a period not to exceed one year from the date of issuance unless revoked or suspended pursuant to these Regulations and/or pursuant to the provisions of State law and regulation.

05.01.07 The Local Licensing Authority in its discretion may revoke or elect not to renew any license if it determines that the licensed premises have been inactive, without good cause, for a period of at least one year.

05.01.08 A license provided and issued pursuant to these Regulations shall specify the date of issuance, the period of licensure (1 year from the date of issuance), the name of the licensee and the premises licensed. The licensee shall conspicuously place the license at all times on the licensed premises or upon an optional premises license pursuant hereto.

05.01.09 The Local Licensing Authority shall issue a license under this article when, after thorough consideration of the application, and from review of such other information as required by these Regulations or the Marijuana Code, the Authority determines that the applicant complies with all of the requirements of these Regulations and the Colorado Marijuana Code.

Section 05.02 Operation Standards

05.02.01 A Medical Marijuana Business shall not acquire, possess, cultivate, deliver, transfer, transport, supply, or dispense marijuana for any purpose except to assist the patients as defined by Section 14(1) of Article XVIII of the Colorado Constitution or other applicable state law.

05.02.02 A Retail Marijuana Business shall not acquire, possess, cultivate, deliver, store, test, transfer, transport, supply, or dispense marijuana for any purpose except as permitted by the Colorado Marijuana Code.

05.02.03 Each person licensed pursuant to these Regulations shall keep and maintain all records specified in the Colorado Marijuana Code and shall make the same open, at all times, during business hours for the inspection and examination of the Local Licensing Authority or its duly authorized representatives. A failure to maintain such records and to allow for inspection of the same as well as a failure to allow the inspection of the licensed premises by the Local Licensing Authority shall constitute a violation of these Regulations and such violation may, in the discretion of the Local Licensing Authority, form or constitute the basis for a summary suspension, a suspension, fines and/or revocation of the licensee's license.

05.02.04 No medical marijuana store or retail marijuana store approved pursuant to these Regulations may sell marijuana at any time except between the hours of 8:00am to 7:00pm for a medical marijuana Store and between the hours of 8:00am to 10:00pm for a retail marijuana store, unless a more restrictive time is set by the Colorado Marijuana Code.

05.02.05 All sales receipts at retail marijuana stores shall contain the Statement, “It is illegal to transfer or sell marijuana or marijuana products to anyone under the age of 21.”

05.02.06 All Retail Marijuana Businesses shall post a sign in a conspicuous location stating:

IT IS ILLEGAL TO SELL OR TRANSFER MARIJUANA TO ANYONE UNDER THE AGE OF TWENTY-ONE. IT IS ILLEGAL TO SEND OR TRANSPORT MARIJUANA TO ANOTHER STATE. THE POSSESSION OF MARIJUANA REMAINS A CRIME UNDER FEDERAL LAW.

05.02.07 A Marijuana Business shall be equipped with a proper odor absorbing ventilation and exhaust system that filters the odor of marijuana generated inside of the Marijuana Business so that it is not detected outside the property or lease area boundaries, or anywhere on adjacent property or public rights-of-way, or within any other unit located within the same building as the marijuana use. A Marijuana Hospitality Business and Retail Marijuana Hospitality and Sales Business shall ensure the hospitality area is a well-ventilated private area that is partitioned off from access to all other areas of the business and is designed to prevent the flow of smoke to any other area of the business.

05.02.08 All Marijuana Businesses, including but not limited to any places where marijuana is grown, stored, cultivated, sold, dispensed or consumed, shall be subject to inspection by the Board of County Commissioners or Local Licensing Authority or its designee, and any other state or local law enforcement personnel during all business hours or other times of apparent activity, for the purpose of inspection or investigation. The Local Licensing Authority and its designee may conduct unannounced or covert compliance inspections. For examination of any inventory or books and records required to be kept by the licensees, access shall be given during business hours. Where any part of the licensed premises consists of a locked area, upon demand to the licensee, such area shall be made available for inspection without delay and, upon request by authorized representatives of the Local Licensing Authority, the licensee shall open the area for inspection. Each licensee shall retain all books and records necessary to show fully the business transactions of the licensee for a period of the current tax year and the three immediately prior tax years and these records shall be made available to the Adams County Finance Department or its designee for the purposes of determining compliance with the requirements of any county sales tax.

05.02.09 Marijuana Hospitality Businesses and Retail Marijuana Hospitality and Sales Businesses shall do the following to encourage appropriate patron conduct:

1. Make an announcement at closing requesting patrons to respect the residents of any adjacent residential neighborhoods by being quiet when leaving;

2. Post signs at locations clearly visible within the hospitality area and at any on-site parking areas, requesting patrons to respect residents of any adjacent residential neighborhoods by being quiet when leaving;

3. Cut off service to impaired patrons and provide information regarding car services.

05.02.10 Marijuana Hospitality Businesses and Retail Marijuana Hospitality and Sales Businesses shall post signs on the exterior of the building near the entrance with the name and phone number of an on-site community relations employee to notify if there are operational problems with the business. In addition, the name and phone number of the community relations employee shall also be provided to the Local Licensing Authority and law enforcement.

05.02.11 The Marijuana Hospitality Business with a Mobile Premises shall designate and maintain a fixed place of business in unincorporated Adams County that is separate from the Mobile Premises.

Part VI. Duties of Licensee

Section 06.01 Possession of Licensed Premises

At all times subsequent to the issuance of a license under Regulations, a licensee shall possess and maintain possession of the premises for which the license is issued by ownership, lease, rental or other arrangement for possession and use of the premises.

Section 06.02 Notice of Changes

06.02.01 A licensee of a license issued pursuant to these Regulations shall report each transfer or change of financial interest in the license and/or the licensee to the Local Licensing Authority prior to any such transfer or change pursuant to and in accordance with the provisions of the Colorado Marijuana Code. A report shall be required for transfers of capital stock of any corporation regardless of size, for transfers of member interests of any limited liability company regardless of size, and for any transfer of an interest in a partnership or other entity or association regardless of size.

06.02.02 A Marijuana Business shall notify the Local Licensing Authority in writing within ten (10) days after an owner, officer, or employee ceases to work at, manage, own or otherwise be associated with the operation. The owner, officer or employee shall surrender his or her identification card to the State Licensing Authority on or before the date of notification. A licensed operation shall also notify the Local Licensing Authority in writing of the name, address, and date of birth of an owner, officer, manager or employee within ten (10) days of the new owner, officer or employee begins working at, managing, owning or being associated with the operation.

06.02.03 A Licensee shall notify the Local Licensing Authority in writing if its state license of the same type for the same type of activity at the same Location as that issued by the Local

Licensing Authority has been denied, expired, renewed, revoked or transferred within three days of the change.

Section 06.03 Publicly Display Licenses

The Licensee shall conspicuously display the local and the state issued licenses at all times on the Licensed Premises.

Part VI. License Renewals

Section 06.01. Renewal Requirements

06.01.01 A licensee shall apply for the renewal of an existing license to the Local Licensing Authority not less than 45 days prior to the date of the expiration of the license. Except as hereinafter provided, the Local Licensing Authority shall not accept an application for renewal of a license after the date of expiration.

06.01.02 The Local Licensing Authority may, in its discretion, schedule a hearing on the application for renewal if the licensee has had complaints filed against it, if the licensee has a history of violation(s), or if the licensee has committed any unlawful acts and/or if there are allegations against the licensee that would constitute good cause as that term is defined herein. In the event that a hearing is scheduled, notice of such hearing shall be posted on the licensed premises for a period of 10 days prior to the hearing and the applicant shall be notified of such hearing at least 10 days prior to the hearing. The hearing and the more specific requirements of notice shall comport with the other provisions of these Regulations concerning public hearings. All renewal applications shall be approved by the Local Licensing Authority if no hearing is scheduled. The Local Licensing Authority may refuse to renew any license for good cause as that term is defined in these regulations. If an applicant has been denied a local medical marijuana license(s) and/or a local retail marijuana license(s), then that applicant shall be required to wait 12 months before re-applying for a local medical marijuana license(s) and/or a local retail marijuana license(s) at that location, unless waived by the Local Licensing authority

06.01.03 Notwithstanding the provisions of the previous subsections of these Regulations, a licensee whose license has expired for not more than 90 days may file a late renewal application upon the payment of a nonrefundable late license fee of seven thousand five hundred dollars (\$7500.00) to the Local Licensing Authority. A licensee who files a late renewal application and pays the requisite fee may continue to operate until the Local Licensing Authority has taken final action to approve or deny the licensee's late renewal application.

06.01.04 The Local Licensing Authority shall not accept a late renewal application more than 90 days after the expiration of the licensee's permanent annual license. A licensee whose license has been expired for more than 90 days shall not, under any circumstances, cultivate, manufacture, distribute, test or sell any marijuana until a new required license has been obtained.

Part VII. Transfer of Ownership

Section 07.01 Transfer of Ownership Requirements

07.01.01 A license granted under the provisions of this Chapter shall not be transferrable to any other person except as provided in this Chapter.

07.01.02 For a transfer of ownership, a license holder shall apply to the State and local licensing authorities on forms specifically prepared and furnished for this purpose by the State Licensing Authority. In determining whether to permit a transfer of ownership, the Local Licensing Authority shall consider the requirements of the Colorado Marijuana Code. In addition, no application for a transfer of ownership will be considered by the Local Licensing Authority if, at the time of such application, the licensee is under a notice of violation or other unlawful acts issued by either the Local Licensing Authority or the State Licensing Authority.

07.01.03 The Local Licensing Authority may hold a hearing on a request for transfer of ownership, but not prior to the posting of a notice of said hearing on the licensed premises for a period of at least 10 days prior to the hearing and, further, a notice of the hearing must be issued to the applicant at least ten days prior to the hearing. Notice of such hearing and, further, the hearing itself, shall comply with the requirements for a hearing upon an application for a local license as are more particularly set forth in these Regulations.

Part VIII. Change of Licensed Location/ Modification of a Premise

Section 08.01 Change of Licensed Locations Requirements

08.01.01 A licensee may apply to the Local Licensing Authority to change the location previously approved for such license to any other place in unincorporated Adams County, but it shall be unlawful to cultivate, manufacture, distribute, store sell or allow for consumption medical or retail marijuana at any such place or location until express permission to do so is granted by the State and the Local Licensing Authority.

08.01.02 A Retail Marijuana Establishment licensee in any Colorado jurisdiction may transfer its license to Adams County so long as the State approves the transfer and the applicant completes the application process set forth in these Regulations and otherwise complies with all the requirements of these Regulations and the Colorado Marijuana Code. It shall be unlawful to cultivate, manufacture, distribute, store sell or allow for consumption medical or retail marijuana at any such place or location until express permission to do so is granted by the State and the Local Licensing Authority.

08.01.03 All changes in location shall be subject to all of the requirements for new applications under these Regulations including a public hearing and the Local Licensing Authority shall consider all reasonable restrictions that are placed upon the current license and/or which may be placed upon the new location by the Local Licensing Authority pursuant to the hearing process set forth in these Regulations and provided the new location complies with the provisions of the Adams County Development Standards and Regulations

Section 08.02 Modification of a Premise

08.02.1 Any major modification to a premise that significantly affects the operation of an establishment must be approved by the Local Licensing Authority in advance. In addition, any modification to a premise must comply with all applicable Adams County codes and regulations.

Part IX. Dual Operation

Section 09.01 Dual Operation Requirements

09.01.01 A person who holds both a license to operate a Medical Marijuana Business and a license to operate a Retail Marijuana Business may operate both licenses in the same premises (“dual operation”) provided the licensee meets the requirements of the Colorado Marijuana Code and these Regulations.

09.01.02 A medical marijuana store licensee may also hold a retail marijuana store license and operate a retail business operation on the same licensed premises provided that the licensee does not authorize patients under the age of 21 years to be on the premises. The licensee must post signage that clearly states “You must be 21 years of age or older to enter this premises.” The licensee may display both medical marijuana and retail marijuana on the same sales floor, provided the licensee maintains virtual separation of its inventory. A medical marijuana store that authorizes medical marijuana patients under the age of 21 years to be on the premises cannot share its premises with a retail marijuana establishment and the two shall maintain distinctly separate licensed premises.

09.01.03 Persons operating dual medical and retail cultivation operations shall maintain virtual separation of the facilities, marijuana plants, and marijuana inventory.

09.01.04 A medical marijuana product manufacturer licensee may also hold a retail marijuana product manufacturer license on the same premises. Persons operating a medical marijuana products manufacturing business and a retail marijuana products manufacturing facility shall maintain virtual separation of the facilities, product ingredients, product manufacturing, and final product inventory.

09.01.05 No dual premises shall be permitted for a retail marijuana store or medical marijuana store and each premise licensed hereto shall designate either a retail marijuana store or a medical marijuana store.

Part X. Fees

Section 10.01 Operating and Renewal Fees

10.01.01 Operating fees and all other fees necessary for the administration, regulation, and implementation of these Regulations are as follows:

1. Initial Operating Fees
 - a. Medical Marijuana Store: \$15,000.00
 - b. Medical Marijuana Cultivation Facility: \$15,000.00
 - c. Medical Marijuana Product Manufacturing Facility: \$15,000.00

- d. Retail Marijuana Store: \$15,000.00
 - e. Retail Marijuana Cultivation Facility: \$15,000.00
 - f. Retail Marijuana Product Manufacturing Facility: \$15,000.00
 - g. Retail Marijuana Testing Facility: \$15,000.00
 - h. Retail Marijuana Hospitality and Sales Business: \$15,000.00
 - i. Marijuana Hospitality Business: \$5,000.00
 - 1. Each Mobile Premises: \$5,000.00
2. Administrative Operating Fees
- a. Change of Location Fee: \$15,000.00
 - b. Modification of Premises Fee: \$5,000
 - c. Change of Ownership: \$5,000.00
3. Annual Renewal Fees
- a. Medical Marijuana Store: \$15,000.00
 - b. Medical Marijuana Cultivation Facility: \$15,000.00
 - c. Medical Marijuana Product Manufacturing Facility: \$15,000.00
 - d. Retail Marijuana Store: \$15,000.00
 - e. Retail Marijuana Cultivation Facility: \$15,000.00
 - f. Retail Marijuana Product Manufacturing Facility: \$15,000.00
 - g. Retail Marijuana Testing Facility: \$15,000.00
 - h. Retail Marijuana Hospitality and Sales Business: \$15,000.00
 - i. Marijuana Hospitality Business: \$5,000.00
 - 1. Each Mobile Premises: \$5,000.00
4. Late Renewal Fees
- a. Late Renewal fees for all allowed establishments: \$7,500

10.01.02 The Board of County Commissioners may revise application, license and operating fees by resolution.

10.01.03 The Local Licensing Authority by rule or regulation shall set the due dates for any fee due pursuant to these Regulations.

Part XI. License Violations and Enforcement

Section 11.01 License Violations

11.01.01 It is a violation of the terms and conditions of every license issued under these Regulations to cultivate, manufacture, distribute, store, sell, or allow for the consumption of marijuana, except in compliance with the terms, conditions, limitations and restrictions in Sections 14 and 16 of Article XVIII of the State Constitution, the Colorado Marijuana Code, all state laws, rules and regulations, the provisions of these Regulations, the provisions of the Adams County Development Standards and Regulations, and any conditions imposed on a license. In addition to any criminal charges or penalties that may be imposed by law

enforcement, any licensee who commits any violation of this section shall be subject to a summary suspension, a suspension, fines, and/or a revocation of its license.

11.01.02 It is a violation of these Regulations and, further, a violation of each license issued pursuant to these Regulations for a person or licensee to commit any act or omission that is unlawful pursuant to the Colorado Marijuana Code. In addition to any criminal charges or penalties that may be imposed by law enforcement, any licensee who commits any acts that are a violation of or unlawful pursuant to these Regulations and/or pursuant to the Colorado Marijuana Code shall be subject to a summary suspension, a suspension, fines, and/or a revocation of its license.

Section 11.02 Enforcement

11.02.01 In addition to any other civil or criminal sanction prescribed by Colorado law or rules promulgated pursuant thereto, the Local Licensing Authority has the power, on its own motion or on complaint, after investigation and opportunity for a hearing at which the licensee shall be afforded an opportunity to be heard, to fine, restrict, suspend or revoke a license issued by the Local Licensing Authority for a violation by the licensee or by any of the agents or employees of the licensee of the provisions of these Regulations, the Colorado Marijuana Code and/or of any of the other terms, conditions or provisions of the license issued by the Local Licensing Authority. Summary suspension, suspension, revocation and/or fines may be imposed by the Local Licensing Authority and in commencing and concluding such actions, the Local Licensing Authority shall comport with the provisions of the Colorado Marijuana Code.

11.02.02 In deciding whether a license should be fined, suspended or revoked in accordance with these Regulations, and in deciding what conditions to impose in the event of a suspension, if any, the Local Licensing Authority shall consider:

1. The nature and seriousness of the violation;
2. Corrective action, if any, taken by the licensee;
3. Prior violation(s), if any, at the licensed premises by the licensee and the effectiveness of prior corrective action, if any;
4. The likelihood of recurrence;
5. All circumstances surrounding the violation;
6. Whether the violation was willful;
7. The length of time the license has been held by the licensee;
8. The number of violations by the licensee within the applicable twelve (12) month period;
9. Previous sanctions, if any, imposed against the licensee;
10. Whether the licensee has a responsible vendor designation;
11. Whether the licensee supports other local businesses including without limitation the display of local art or use of local ancillary businesses;
12. Whether the licensee has contributed to or been involved in a charitable giving program; and
13. Any other factor making the situation with respect to the licensee or the licensed premises unique.

11.02.03 Notice of suspension or revocation shall be given by mailing the same in writing to the licensee at the licensee's last address of record with the Local Licensing Authority.

11.02.04 Any recommended conditions or agreements between the licensee and the Local Licensing Authority shall be presented to the Local Licensing Authority. The Local Licensing Authority in its discretion may accept such condition or agreement, or reject the condition.

11.02.05 Requests to pay a fine in lieu of serving a suspension period shall be heard by the Local Licensing Authority before the suspension period is set to begin.

11.02.06 The remedies provided in these Regulations are in addition to any other remedy provided by applicable law.

Part XII. Compliance with State Law

Section 12.01 Compliance Required

12.01.01 To the extent the State has adopted or adopts in the future any additional or stricter laws or regulations governing the sale or distribution of marijuana, the additional or stricter regulations shall control the establishment or operation of any Marijuana Business in Adams County.

12.01.02 Compliance with any applicable State law or regulation shall be deemed an additional requirement for issuance of any license under these Regulations, and noncompliance with any applicable State law or regulation shall be grounds for denial of a license and/or fines, administrative action, revocation, or suspension of any license issued hereunder.

12.01.03 Any Marijuana Business licensed pursuant to these Regulations may be required to demonstrate, upon demand by the Local Licensing Authority or by law enforcement officers that the source and quantity of any marijuana found upon the licensed premises is in full compliance with any applicable State law or regulation.

Part XIV Storage Warehouses

Any person licensed pursuant to these Regulations may operate a storage warehouse for medical and/or retail marijuana provided they meet all the requirements of the Colorado Marijuana Code and all other state and local laws, rules and regulations, and provided that the storage warehouse is located in a place where warehouses are permitted and is otherwise in compliance with the Adams County Development Standards and Regulations.

Part XIV Judicial Review

Decisions by the Local Licensing Authority are subject to judicial review pursuant to C.R.S. § 24-4-106.

Part XIII. Severability

If any provision of these Regulations or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these Regulations that can be given effect without the invalid provision or application, and to this end the provisions of these Regulations are declared to be severable.

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION ADOPTING UPDATED RULES AND REGULATIONS FOR ADAMS
COUNTY PARKS, TRAILS, OPEN SPACE AND CULTURAL ARTS AREAS EFFECTIVE
DECEMBER 6, 2022

Resolution 2022-649

WHEREAS, the Adams County Board of County Commissioners (“Board”) is authorized by Colorado Revised Statutes (C.R.S.) § 18-9-117 and § 29-7-101(2), as amended, to adopt rules and regulations pertaining to Adams County public recreation lands and facilities; and,

WHEREAS, Adams County, through the Board, has adopted such Rules and Regulations; and,

WHEREAS, the Rules and Regulations are for the purpose of administration, protection, maintenance, regulation, and control of property which Adams County owns, leases, or otherwise manages as parks, trails, open space, and cultural arts areas; and,

WHEREAS, Adams County has determined that the current Rules and Regulations should be updated in order to comply with recent changes to the penalty and fine structure enacted by the Colorado General Assembly in Senate Bill 21-271 and modified by House Bill 22-1229; and,

WHEREAS, enactment of these Rules and Regulations constitutes neither a waiver of governmental immunity pursuant to §§ 24-10-101, et seq., C.R.S., as amended, nor the assumption of any duties of care to any person.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Rules and Regulations for Adams County Parks, Open Space, and Cultural Arts (POSCA) Areas, which are attached hereto, and fully incorporated herein, are hereby approved and adopted effective December 6, 2022.

BE IT FURTHER RESOLVED that any prior resolutions setting forth Rules and Regulations for Adams County parks, trails, open space, and cultural arts areas, which are inconsistent herewith, are hereby expressly repealed and replaced by the attached Rules and Regulations effective December 6, 2022.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Henry _____ Excused
Tedesco _____ Aye
Pinter _____ Aye
O’Dorisio _____ Aye
Baca _____ Aye
Commissioners

STATE OF COLORADO)
County of Adams)

I, Josh Zygielbaum, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 6th day of December A.D. 2022.

County Clerk and ex-officio Clerk of the Board of County Commissioners

Josh Zygielbaum:



By:



Deputy

**RULES AND REGULATIONS FOR ADAMS COUNTY
PARKS, OPEN SPACE, AND CULTURAL ARTS (POSCA) AREAS**

These Rules and Regulations are adopted pursuant to the authority granted in Colorado Revised Statutes (C.R.S.) § 18-9-117 and § 29-7-101(2) and apply to all public recreation areas and facilities owned or operated by Adams County, Colorado.

ARTICLE I. PROHIBITED ACTS, GENERALLY

RULE 1. CAMPING/RECREATION

- (a) It is unlawful to camp overnight, or to park any vehicle, trailer, or camper for overnight camping purposes, in any Adams County park, trail, open space area, or facility.

Exceptions to this Rule 1(a) may only be granted for overnight RV parking permits issued by Adams County staff in association with a contracted or official county event at the Riverdale Regional Park. All permits issued for overnight RV parking will be in accordance with established policies and procedures.

- (b) Tents, booths, stands, awnings, and similar structures are prohibited unless prior consent has been granted from the Adams County POSCA Department Director.
- (c) The use of stakes of any kind is prohibited. Canopies, jumping castles or similar inflatables may be allowed, however, they must be secured with weights. Unsecured tents, jumping castles, or similar inflatables are prohibited.
- (d) The use or operation of any device producing sound in such a manner, or at such a time, so as to unreasonably interfere with another person's use or enjoyment of a public use area, or to disturb the natural soundscape in any Adams County owned public recreation area is prohibited.

RULE 2. FIRES, GRILLS, AND GENERATORS

- (a) Open fires, including campfires, are unlawful on all Adams County parks, trails, and open space areas. Exceptions to this Rule may be granted only with permission from the Adams County POSCA Department Director.
- (b) Charcoal fires may be built only in designated picnic grills. All residues must be left in the provided grills. Propane grills are permitted. Gas generators are permitted, however, they must be placed on a wooden or similar base to prevent damage to native or other turf.
- (c) All charcoal fires must be safely and completely extinguished as soon after grilling as possible.
- (d) All visitors must comply with any state or local fire ban or fire restriction.
- (e) Any fires built within Adams County parks, trails, or open space areas may not be permitted to burn in a manner which, through carelessness or negligence, places the safety of persons at risk or results in natural resource damage.

RULE 3. USE RESTRICTIONS AND CLOSURES

- (a) Hours. Adams County's parks, trails, and open space areas and facilities are open for daytime use only, between 5:00 a.m. and 11:00 p.m. Contracted and permitted events are excepted. No person shall enter or remain in any Adams County park, trail, or open space area or facility at any other time without authorization.

- (b) Closures. The Adams County POSCA Department Director may from time to time determine that closure of Adams County park, trail, or open space areas to the public and/or to certain animals is necessary or appropriate due to wildlife, vegetation, management review, contractual agreement, public safety concerns, and/or other resource protection needs. It is unlawful for any unauthorized person to enter such closed areas.
- (c) Trail Use. All trail users must yield to other trail users in the manner defined herein or as otherwise posted at trailheads. The appropriate order for yielding the trail right-of-way is as follows:
- all users yield to equestrians,
 - bicyclists yield to pedestrians,
 - bicyclists headed downhill yield to bicyclists headed uphill.
- Yielding the right-of-way requires slowing down to a safe speed, being prepared to stop, establishing communication, and passing safely.
- (d) Adams County may adopt use restrictions on specific parks, trails, or open space areas when such restrictions are necessary for resource protection or safety-related issues. Such restrictions shall be posted at the parks, trailheads, or open space areas. Accessing restricted areas so posted is prohibited.
- (e) Adams County parks, trails, or open space areas being managed for agricultural purposes, whether by Adams County or a lessee, are closed to the public unless trails and other related facilities are designated for another purpose by the County. It is unlawful for any unauthorized person to enter such closed areas.
- (f) It is unlawful to swim, dive, ice skate, walk on ice, or use any floatation device not designed for fishing, commonly known as a “belly boat” in or on any lake or pond within any Adams County Park, Trail or Open Space area unless the area is specifically posted to allow such activity.
- (g) No person shall ride a bicycle, including electric powered bikes or unicycles, within any Adams County park, trail, or open space area except on trails where such use is designated, including day-of-use and directional designations, and at the Riverdale Regional Park. Strollers and wheelchairs are exempted from this regulation and are permitted within any Adams County park, trail, or open space area. Individuals with mobility disabilities may use other power-driven mobility devices (“OPDMDs”) on any trails open for pedestrian use in accordance with the provisions of Rule 14.

RULE 4. RESOURCE PROTECTION

- (a) It is unlawful for any unauthorized person to remove, move, modify, destroy, mutilate, collect, or deface any natural or man-made object within any Adams County park, trail, or open space area, including but not limited to trees, downed timber or branches, shrubbery, plants, flowers, rocks, fossils, fences, gates, water-control devices, signs, kiosks, restrooms, tables, benches, cultural resources, trash containers or any other public property.
- (b) It is unlawful to plant vegetation of any type or place any other type of landscape material or establish or construct trails or other facilities for public or private use without permission from the Adams County POSCA Department Director.
- (c) It is unlawful for any unauthorized person to engage in the motorized or mechanized mining of gold or other ores within any Adams County park, trail, or open space area. Placer mining using panning methods by hand is permitted.

RULE 5. DOMESTIC ANIMALS (PETS) / LIVESTOCK

- (a) Any dog or other domestic animal within an Adams County park, trail, or open space area shall be restrained by a maximum of a twelve-foot (12') leash, cord, rope, or chain and be under the physical control of a person, except as otherwise provided for in this Rule, or as posted with approval from the Adams County POSCA Director. "Physical Control" specifically does NOT mean eye or voice command or electronic devices.

Exceptions to this Rule are permitted for the use of a dog as a service animal so long as such use is in all respects in compliance with the regulations in 28 CFR § 35.136. A service animal must be individually trained to do work or perform tasks for the benefit of its handler's disability. Provision of emotional support, well-being, comfort, or companionship do not qualify as "work" or "tasks" which may be provided by a service animal. Emotional support, well-being, comfort, or companionship animals are not protected under the Americans with Disabilities Act (ADA) and may be restricted in Adams County parks, trails, open space areas, and facilities.

- (b) Dogs may be prohibited within specific Adams County park, trail, or open space areas at the discretion of the Adams County POSCA Department Director.
- (c) It is unlawful for any owner/keeper to allow their domestic animal(s) within an Adams County park, trail, or open space area to engage in aggressive behavior or any activity that interferes with the health, safety, or welfare of users, livestock, other domestic animals, or neighbors in the area; or which creates a nuisance, including unwanted physical contact or threatening behavior with any user, domestic animal, or livestock.
- (d) Domestic animals or livestock may be tied by a lead or rope sufficient to restrain the animals, however they shall not be left tied and unattended nor tied in any manner which damages vegetation or structures, or which interferes with or disturbs the public's use of established trails, picnic areas, or other recreational areas.
- (e) It is unlawful to confine any animal in a motor vehicle in such a manner that places the animal in a life or health-threatening situation by exposure to a prolonged period of extreme heat or cold without proper ventilation or other protection from such heat or cold.
- (f) Any person who brings a dog into an Adams County park, trail, or open space area shall dispose of that dog's excrement in an appropriate manner.
- (g) Horses must be under the physical control of a person at all Adams County park, trail, or open space areas except at the exhibitor and spectator areas at the Riverdale Regional Park.
- (h) Horses may not be ridden or handled in a careless or unsafe manner.
- (i) All feed provided to livestock while on Adams County parks, trails, trailheads, or open space areas must be free of weeds and weed seeds. Livestock grazing is allowed only by lease or permission from the Adams County POSCA Department Director.

RULE 6. HUNTING, TRAPPING, AND WILDLIFE

- (a) No person shall alter, damage, destroy, remove, or in any other way vandalize wildlife habitat features on any Adams County POSCA properties, including, but not limited to, animal dens, burrows, dwellings, nests, or nesting sites.
- (b) It is unlawful for any person to molest, disturb, harass, or harm, any wildlife, at any time within any Adams County park, trail, or open space area.

This provision shall not apply to any county, state, or federal government personnel authorized by the County to carry out a wildlife management program pursuant to applicable law or county-approved rules and regulations.

In accordance with Title 33 of the Colorado Revised Statutes (C.R.S.), "harass" means to unlawfully endanger, worry, impede, annoy, pursue, disturb, molest, rally, chase, drive, herd, or torment wildlife.

- (c) It is unlawful for any person to trap, hunt, pursue, or kill any wildlife, or to allow any domestic animal to do the same, at any time within any Adams County park, trail, or open space area, except where and when such activities are permitted at the discretion of the Adams County POSCA Department Director.

This provision shall not apply to any county, state, or federal government personnel authorized by the County to carry out a wildlife management program pursuant to applicable law or county-approved rules and regulations.

In accordance with Title 33, C.R.S., “hunt” means to pursue, attract, stalk, lie in wait for, or attempt to shoot, wound, kill, trap, capture, or collect wildlife. “Hunt” does not include stalking, attracting, searching, or lying-in wait for wildlife by an unarmed person solely for the purpose of watching or taking photographs of wildlife.

- (d) No person shall intentionally feed, or attempt to feed, any wildlife within any Adams County park, trail, or open space without permission from the County.

This provision shall not apply to any county, state, or federal government personnel authorized by the County to carry out a wildlife management program pursuant to applicable law or county-approved rules and regulations.

- (e) It is unlawful for any unauthorized person to relocate or release any wildlife or domesticated animals within any Adams County park, trail, or open space area, unless permission is specifically granted by the POSCA Director.

RULE 7. FISHING

Fishing is permitted in accordance with the Colorado Wildlife Commission's land and water regulations, except in open space areas designated and posted with special Adams County park, trail, or open space regulations. Ice fishing is prohibited on all Adams County park, trail, and open space areas. It is unlawful to violate special fishing regulations posted within any Adams County park, trail, or open space area. Rules and Regulations, fees, and special permit requirements shall be determined by the Adams County POSCA Department Director and posted at affected Adams County park, trail, or open space areas. The Adams County POSCA Department Director may modify these regulations or create new ones when deemed necessary for repairs, wildlife, vegetation, and/or public safety concerns.

- (a) All persons sixteen years and older shall procure and hold a proper and valid fishing license before fishing as required by C.R.S., Title 33.

In accordance with C.R.S., Title 33, “Fishing” means any effort made to take any fish, amphibian, crustacean, or mollusk, including by hook and line, handline, trot-line, jug, seine, net, underwater spear-fishing, archery, snagging, or gigging.

- (b) No person shall fish with more than one (1) rod and line without an additional extra rod stamp as required by Colorado Parks and Wildlife (CPW) or fish with more than two (2) rods.

- (c) No person shall have in their possession over the legal bag or possession limit of fish species as determined by CPW regulations.

In accordance with Title 33, C.R.S., “Bag Limit” is defined as the maximum amount, expressed in numbers, of fish that may be lawfully taken, caught, killed, or possessed by a person during one day. Fish released immediately are not part of the limit; and “Possession Limit” is defined as the maximum number of fish allowed at any time, including in the field, transporting, or at home in storage.

- (d) No person shall have in their possession a fish that does not meet the length requirements as determined by CPW law or special Adams County Park regulations.

In accordance with CPW guidelines, a fish’s length is measured from the tip of the jaw to the tip of the tail placing the measuring device behind the fish, not following the curvature of the fish.

- (e) No person shall fish with an unattended rod.
- (f) It is unlawful to use bow & arrow, seines, cast nets, and/or live traps on any body of water for the purpose of fishing within Adams County parks, trails, or open space areas.
- (g) No person engaged in fishing shall violate special fishing regulations posted within any Adams County park, trail, or open space area to include limits to possession by length and mandatory catch and release requirement as posted.

In accordance with CPW, to “catch and release” means to release upon catching any fish alive and into the same body of water from which it was taken.

- (h) Ice fishing is prohibited on all Adams County parks, trails, and open space areas.

RULE 8. BOATING

Rules and Regulations, fees, and special permit requirements shall be determined by the Adams County POSCA Department Director and posted at affected Adams County park, trail, and open space areas. The Adams County POSCA Department Director may modify these regulations or create new ones when deemed necessary for repairs, wildlife, vegetation, and/or public safety concerns.

Belly-boating for fishing is allowed in designated water bodies; other boating is only allowed as posted.

- (a) No person within Adams County parks, trails, or open space areas shall boat in a non-designated water body.
- (b) Any person operating or having given permission to operate, a vessel less than sixteen feet in length must have on board one Personal Floatation Device (PFD) for each person on board. As used herein, PFD means a United States Coast Guard Approved Type I life preserver, Type II buoyant vest, Type III special purpose water safety buoyant device, or Type V special use water safety buoyant device.
- (c) No person shall operate, or give permission to operate, a vessel unless the required PFDs are readily accessible, legibly marked with the appropriate USCG number, and are of the appropriate size for the person(s) wearing them or for whom they are intended.
- (d) No person shall allow any child under the age of thirteen (13) to be onboard any vessel unless wearing a Type I, Type II, or Type III Personal Floatation Device, unless in an enclosed cabin.
- (e) No person shall operate, or give permission to operate, a vessel without an efficient whistle or other mechanical sound producing device.
- (f) No person shall operate, or give permission to operate, a vessel that does not require registration without having the owner’s name and address written on the vessel in a clearly visible and permanent fashion. This rule 8(e) pertains to vessels such as canoes, kayaks, rowboats, rafts, and similar non-motorized vessels.
- (g) No person shall operate, or give permission to operate, or offer for rent, a vessel which is overloaded in persons or weight beyond the manufacturers prescribed limits.
- (h) It is unlawful to use any floatation device not designed for fishing, in or on any lake, pond, or stream within any Adams County Park, Trail or Open Space area, unless the area is specifically posted to allow such activity.

As such, no person shall use, or allow use of, on waters outside designated areas, any air mattress, inner tube, air inflated devices, rubber rafts or similar inflatables, with less than two (2) separate air chambers.

RULE 9. PROJECTILES, WEAPONS, EXPLOSIVES, FIREWORKS

- (a) It is unlawful to discharge on or into any Adams County park, trail, or open space area, projectiles, weapons, firearms, and explosives of any kind (including fireworks), except as expressly mandated by Article 12 of Title 18 of the Colorado Revised Statutes, as amended. See also C.R.S. § 30-15-302 (1).

As such, no person shall discharge on or into any Adams County park, trail, or open space area, any firearm, as defined in CRS 18-1-901(3)(h).

Peace officers on official duty and engaged in official operations are excepted from this Rule 9.

Nothing in this Rule shall be construed to restrict or otherwise affect the constitutional right to bear arms or to defend ones' person, family, or property.

- (b) It is unlawful to use, or allow the use of, or discharge weapons, including, but not limited to, B.B. guns, pellet guns, paintball markers, long bow, cross bows, or other weapons as defined in C.R.S. § 18-1-901 (3)(e) on or into any Adams County park, trail, or open space area.

- (c) No person shall discharge any type of firework, pyrotechnic, or explosive device on or into any Adams County park, trail, or open space area.

Exceptions to this Rule may be granted only upon the express authorization of Adams County.

RULE 10. SANITATION

- (a) It is unlawful to deposit or dispose of trash, garbage, rubbish, litter, debris, or other objects within any park, trail, or open space area, except that which is generated by legal activities conducted within the Adams County park, trail, or open space area. Trash and debris legally generated within any Adams County park, trail, or open space area must be removed or deposited in a designated trash receptacle. As such, no person shall use trash containers provided for public use to dump household or commercial refuse brought from outside of the areas to which these regulations apply.

- (b) No person shall urinate in public or leave human excrement on or in any Adams County park, trail, or open space area lands or waters.

- (c) It is unlawful to clean vehicles/livestock trailers in such a manner as to cause the contents to drain, enter, or remain on Adams County parks, trails, or open space areas, including Riverdale Regional Park.

- (d) It is unlawful to deposit any hazardous material within any Adams County park, trail, or open space area.

- (e) No person shall leave, or cause to be left, any fish, fish entrails, wastewater, cans, bottles, plastic or paper cartons, or other litter of any type on any land or in any waters of any Adams County park, trail, or open space area.

RULE 11. ALCOHOL AND CONTROLLED SUBSTANCES

Possession and consumption of alcoholic beverages is permitted within Adams County parks, trails, and open space areas in compliance with Park Rules & Regulations and Colorado State Law.

- (a) No person under twenty-one (21) years of age shall possess or consume an alcoholic beverage or marijuana or marijuana by-product in any Adams County park, trail, or open space area.

- (b) No persons shall consume marijuana in a public place in any Adams County park, trail, or open space areas.

RULE 12. PROHIBITED CONDUCT ON PUBLIC PROPERTY

- (a) It is unlawful for any person to engage in any conduct or activity within an Adams County park, trail, waters, or open space area, or facility which a person knows, or reasonably should know, will substantially interfere with the use and enjoyment of such places by others, the health, safety, and welfare of users or neighbors nearby, or which may constitute a general nuisance.

As used herein, “general nuisance” means an unreasonable or unlawful use of the area, including but not limited to any noise, action or odor that could substantially interfere with any other person’s lawful use or enjoyment of the area. The use of amplified sound shall constitute a general nuisance under this Rule unless it is made for leased events at the Riverdale Regional Park or consent has been obtained from the Adams County POSCA Department.

RULE 13. ELUDING/INTERFERENCE

- (a) No person shall elude or attempt to elude a uniformed Adams County Park Ranger after having received a visual or audible signal to stop.
- (b) It is unlawful to interfere or attempt to interfere, with any Adams County Park Ranger, or other Adams County employee, who is acting in the performance of their duties; or to give false or misleading information with the intent to mislead said person in the performance of their duties.

RULE 14. VEHICLES AND OPDMD’S

- (a) No person shall operate a motor vehicle, including a car, truck, motorcycle, minibike, snowmobile, four-wheel drive, or other recreational vehicle, within any Adams County park, trail, or open space area, unless the area is specifically designated and posted to permit the operation of such vehicle. Adams County and emergency vehicles on official business may be operated on parks, trails, or open space areas for maintenance, inspection, regulatory, and law enforcement purposes and are excepted from this rule. For exceptions related to disabled access, refer to Rule 14(b)
- (b) Individuals with mobility disabilities are permitted to use wheelchairs and/or manually-powered mobility aids on any trail open to pedestrian use so long as they are used in a safe manner. Individuals with mobility disabilities may use other power-driven mobility devices (“OPDMDs”) on all trails open for pedestrian use unless a trail has been designated as being unsafe for use by OPDMDs based upon the assessment factors found in 28 CFR § 35.137(b)(2). A current list of trails that have been designated as being unsafe for use of OPDMDs shall be kept on the POSCA website.

Use of OPDMDs within any park, trail, or open space area must be in a safe manner and is at the risk of the user. OPDMDs may not be used off trail in any Adams County park, trail, or open space area.

County personnel who have been granted authority to enforce these Rules and Regulations shall have the discretion to temporarily designate additional trail segments or other facilities on Adams County areas as unsafe and as inappropriate for use of certain classes of OPDMDs. This may be based upon current conditions, such as weather, trail conditions, pedestrian traffic volume, and potential harm to the immediate environment or natural resources. OPDMD’s shall not be wider than ½ the width of the designated path.

- (c) No person shall operate a bicycle, skateboard, scooter, or any other form of non-motorized form of transportation in areas to which these regulations apply in an unsafe or careless manner.

RULE 15. PARKING

NOTE: The enforcement of this Rule 15 may only be done under a separate County Ordinance.

- (a) Vehicles shall not be parked anywhere other than on established roads and parking areas in any Adams County park, trail, or open space area or parking lot.
- (b) Vehicles must be parked only in designated areas in any Adams County park, trail, or open space area or parking lot.
- (c) Vehicles must be parked in compliance with all posted parking signs in any Adams County park, trail, or open space area or parking lot.
- (d) Vehicles may not be parked in a manner that impedes the safe flow of traffic in any Adams County park, trail, or open space area or parking lot.
- (e) Only persons with a disability may park in spaces designated for persons with disabilities in any Adams County park, trail, or open space area or parking lot.
- (f) Vehicles may not be parked, attended or unattended, at an Adams County park, trail, or open space area that is closed, except with permission from the Adams County POSCA Department Director.
- (g) Any motor vehicle parked in any Adams County park, trail, or open space area or parking lot that is closed, or not a designated as a parking area, or in an area designated as a “No Parking” area may be towed at the owner’s expense in accordance with C.R.S. § 42-4-1801, *et. seq.*, and/or any applicable County Ordinance.

RULE 16. POSTING OF SIGNS / ADVERTISEMENTS / FLYERS

- (a) Posting of signs, advertisements and flyers or placement of brochures in Adams County park, trail, or open space areas or on the vehicles or property of others within those areas are prohibited except for community bulletin boards located within the parks and at trailheads.

RULE 17. COMMERCIAL ACTIVITY

- (a) It is unlawful for any person, acting individually or on behalf of a business or organization, to charge a fee for any commercial activity or concession, or to provide any service, product, or activity for which a fee is charged in any Adams County park, trail, or open space area or facility, unless a valid Adams County Vendor Permit has been issued for that purpose by the Adams County POSCA Department.
- (b) Individuals engaging in still camera photography, nonprofit tax-exempt entities, and anyone acting pursuant to the terms of an agreement with Adams County are exempt from this Rule.

RULE 18. RESEARCH PROJECTS

- (a) All research projects to be conducted within any Adams County park, trail, or open space area must be reviewed and approved by the Adams County POSCA Department Director before they are commenced.

RULE 19. SPECIAL USE PERMITS

- (a) Special use permits are required for any group of 25 or more at any Adams County park, trail, or open space area. Requests must include the dates and time of use, trails, or areas to be used, and other details of the use. If, in the opinion of the Adams County POSCA Department Director, the activity will cause significant impact to the natural environment or will require significant departmental resources, the county may impose a fee that includes the costs expected to be incurred by the department or deny permission for the activity.

RULE 20. DRONES/SMALL UNMANNED AIRCRAFT

The Federal Aviation Administration (FAA) governs the use of public and civilian Unmanned Aircraft Systems (UAS) operations. Operating a UAS (drone or small model plane) on Adams County Property is only permitted in accordance with these Rules and Regulations.

At all times, operators must abide by all State and Federal regulations regarding operating UAS as well as strictly adhering to all procedural requirements for areas managed by the Adams County Parks, Open Space and Cultural Arts Department. It is the responsibility of the user to inform themselves of all requirements and regulations prior to operating an UAS at any Adams County location.

- (a) It is unlawful to take-off or land any unmanned aircraft system (drone) on an Adams County Park, trail or open space area unless permitted by the Adams County POSCA Department Director.
- (b) Drop-In Operation. A location has been designated for drop-in operation on properties managed by Adams County Parks, Open Space and Cultural Arts Department at Riverdale Regional Park on the gravel parking area located directly north of the Adams County Museum on the west side of Park Blvd.
 - i. This area will be available for drop in use during park hours unless otherwise designated. A permit will not be required to take off or land a UAS in this designated area.
 - ii. This area will not be available for use for UAS operation when it is being utilized for permitted special events, county sponsored events, and/or the Adams County Fair. During these events, the area will be posted with appropriate notices, and notifications will be posted on the county website
- (c) Permitted Photographic Operation. Operation of a unmanned aircraft system on Adams County property for the purpose of filming, photography, marketing, or research is authorized only through a permitting process.. Permits can be obtained through the Parks Administration Office for POSCA Director approval.
 - i. Applicants must submit the proper forms and request all appropriate permits.
 - ii. Operating times and locations for each permitted use will be reviewed as part of the application process. Applications may be denied, or a request may be made to amend times and locations due to resource, wildlife, or public safety concerns.
- (d) No person shall control an unmanned aircraft system in a manner which may endanger, harass, harm, or injure any person, companion animal, livestock, or wildlife on Adams County park, trail, or open space area.

RULE 21. OTHER PROHIBITED ACTIVITIES

- (a) Except for emergency landings, it is unlawful to take off, operate, or land with any motorized or non-motorized aircraft within Adams County park, trail, or open space area. "Aircraft" includes but is not limited to; airplanes, helicopters, ultralights,

gliders/sailplanes, and hot-air balloons except as permitted by an agreement with Adams County.

- (b) Special regulations may apply to buildings open to the public on Adams County park, trail, or open space areas. These regulations shall be approved by the County. Such regulations will be posted on site.
- (c) It is unlawful to golf, or to use remote-controlled land, water, airborne, or similar devices at any Adams County park, trail, or open space area unless the activity is permitted by an agreement with Adams County or authorized by the Director of POSCA and so posted in a conspicuous manner.

ARTICLE II. EXCEPTIONS TO THE RULES AND REGULATIONS

Exceptions to these Rules and Regulations as amended, re-enacted, or re-adopted, may be granted by the Adams County POSCA Department Director for activities that involve the management of Adams County parks, trails, or open space areas, provided the activities are undertaken or overseen by department staff, or as provided in the terms of a lease or other agreement.

ARTICLE III. ENFORCEMENT

- 1. Pursuant to §§ 29-7-101(2) and (3), C.R.S. et seq., as amended, it is the duty of the Adams County Sheriff, undersheriff, and deputies, as well as any county enforcement personnel authorized and appointed pursuant to those sections, to enforce the rules and regulations adopted herein; and the county courts of Adams County, Colorado, have jurisdiction in the prosecution of any violation of a rule or regulation adopted herein.
- 2. Pursuant to §§ 29-7-101 (2) and (3), the Board hereby vests specific enforcement authority in personnel designated as Adams County Park Rangers and those individuals so vested shall have the authority and responsibility to enforce the Rules and Regulations adopted herein for Adams County park, trail, and open space areas by issuance of penalty assessments, citations or summons and complaints.
- 3. Any person who violates any of these Rules and Regulations may be ejected from Adams County parks, trails, and open space areas.
- 4. These Rules and Regulations are in addition to, and not in place of, all other existing laws, ordinances, rules, and regulations. Nothing in these Rules and Regulations shall be construed to limit the authority of any law enforcement officer to charge an individual for violating the provisions of C.R.S. § 18-9-117 (or any successor statute) related to unlawful conduct on public property. Law enforcement officers retain their authority to enforce local, state, and federal laws within Adam County park, trail, and open space areas.

ARTICLE IV. PENALTIES

- 1. (a) Violations of Rule 15 (Parking) of the Rule and Regulation adopted herein shall be charged and punishable pursuant to a separate County Ordinance.
(b) Violation of any other Rule or Regulation adopted herein shall be a Civil Infraction as provided for in C.R.S. § 29-7-101(2), as amended, and upon conviction thereof, shall be punished by a fine of one hundred dollars (\$100.00) per violation (as

required by C.R.S. § 16-2.3-102(1)(a)), plus any applicable fees and surcharges, or as otherwise provided by law.

2. The procedures, penalties, fines, and surcharges authorized in C.R.S. 16-2.3-101 *et. seq.*, as amended, titled “Civil Infractions” apply to violations of any Rule or Regulation adopted herein.
3. The Penalty Assessment Notice and procedure provided in C.R.S. § 16-2.3-102 may be used by any arresting law enforcement officer or Adams County Park Ranger for any violation of any Rule or Regulation adopted herein.
4. Any person having the authority and responsibility to enforce these Rules and Regulations and having knowledge of any violation of the Rules and Regulations stated herein may issue a citation or summons and complaint to the violator stating the nature of the violation with sufficient particularity to give notice of said charge to the violator.
5. All fines, penalties, surcharges, and any applicable docket fees and court costs shall be paid to the Clerk of the Adams County Court in accordance with the procedures established in C.R.S. 16-2.3-101, *et. seq.* “Civil Infractions”. Pursuant to C.R.S. 29-7-101, the Clerk of the Adams County Court shall transmit all fines for the violation of any Rule or Regulation adopted herein into the treasury of Adams County.
6. In addition to any penalty prescribed by law, any violation of any of the Rules and Regulations herein by any person may subject that person to immediate ejection from the Adams County parks, trails, and open space areas and facilities.

ARTICLE V. COPY OF RULES AND REGULATIONS

The POSCA Department shall make available for inspection to the public a current copy of the existing rules and regulations relating to Adams County parks, trails, and open space areas.

ARTICLE VI. INTERPRETATION OF RULES AND REGULATIONS

1. It is hereby declared to be the legislative intent of the Board of County Commissioners of Adams County, Colorado, that the provisions of these Rules and Regulations shall be severable, in accordance with the provisions set forth as follows: If any provision of these Rules and Regulations are ruled to be invalid by any court of competent jurisdiction,
 - (a) The effect of such judgment shall be limited to that specific provision or provisions which are expressly stated in the judgment to be invalid; and,
 - (b) Such judgment shall not affect, impair, or nullify the validity of application of the remainder of these Rules and Regulations as a whole or any other part thereof, and the rest of these Rules and Regulations shall continue in full force and effect.
2. The enactment of these Rules and Regulations shall not be construed as abating any action now pending under or by virtue of prior provisions, or discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, or as waiving any right of the county under any provision existing prior to the adoption of these Rules and Regulations, or as vacating or annulling any rights obtained by any person by lawful action of the county except as is expressly provided for herein.