



TOWN COUNCIL STUDY SESSION AGENDA
March 28, 2022
5:00 PM

I. Town Council Items

II. Study Session Items

1. Municipal Code Dogs at large prohibited-Discussion Re: E-Collars in Lieu of Leashes - Wynn - 15 minutes
2. Police Department Update - Tsurapas - 1 hour
3. Discussion on the Sale of Fireworks - Kelsey Hall, 30 minutes
4. Review Future Council Agendas - Hoffmann - 30 minutes



MEMORANDUM

TO: Honorable Mayor and Members of Town Council

FROM: Jamie Wynn, Assistant Town Attorney

DATE: March 28, 2022

SUBJECT: Possible Modification to the Municipal Code to Allow for the Use of Electronic Collars in Lieu of Leashes

ISSUE:

Town Council was requested to consider a possible update to the Municipal Code to allow electronic collars (otherwise known as “shock collars” or “e-collars”) to be utilized in lieu of leashes.

FISCAL/BUDGET IMPACT:

None.

BACKGROUND:

The Town was requested to consider a possible update to the Municipal Code provision requiring dogs to be on a leash when off their owner's property or when not in an area designated and posted by the Town as a "dog leash optional" area.

With respect to the control of dogs who are not on their owner's property, there are multiple factors to consider, including both the training of the animal as well as the training of the owner or any other individual who may be in control of the animal. Due to a number of concerns that could potentially be the result of a widespread ordinance provision, it is staff's recommendation that e-collars not be included within the current ordinance to be utilized in lieu of leashes with respect to the prohibitions for what is considered a dog at large.

Comparing the year 2020 to the year 2021, vicious dog cases filed in the Town of Parker Municipal Court rose from 11 to 31. While the considerations regarding the vicious dog cases in the Town is only one factor, there are many other potential impacts to the Town and its citizens should the Municipal Code be modified to allow electronic collars to be used in lieu of leashes within the Town.

While there are certainly very responsible dog-owners, who will not only ensure their dogs are appropriately trained, but that they have been trained in the use of e-collars as well, there are likely more individuals who would resort to the use of e-collars without proper training for either the dog or the owner, and with the significant increase already in dangerous dog cases, there is a concerning potential for those numbers to go even higher.

Even the K9s and the K9 Officers for the Police Department go through extensive training related to the use of electronic collars to ensure both the K9 and the handler understand the

various tactics and techniques and how they need to be utilized for the security and safety of any individual present when the K9 is deployed. The officers and the dogs become certified in the use of electronic collars. However, the dogs remain on a lead (leash) while they are deployed.

Studies have looked into the effectiveness of e-collars for the control of animals, and even in circumstances where both the dog and the owners are trained, there are a number of factors that can cause problematic results. In order for a dog to truly be trained by the use of an e-collar, the shock must be at the perfect level for the specific dog. The collar must be one that is of a quality that provides the appropriate level of shock. The owner must be able to give the shock immediately upon the negative behavior. The animal's instincts must be such that the shock will immediately cause them to cease the behavior, and the shocks given for negative behavior must be completely consistent when that behavior is occurring. Issues with any of these facts can result in the ineffectiveness of the collar and, potentially, will result in serious injury to a person or another dog if there are aggressive tendencies.

Staff has reviewed various ordinances from other jurisdictions within Colorado and the majority do not provide for the use of electronic collars in lieu of leashes. In a similar type of situation, El Paso County previously allowed for dogs to be off-leash in certain areas where their owners were able to have "voice command" over the dog. This is potentially another effective control technique provided both the dog and the owner are properly trained and there is not a distraction or stimulant nearby that will overcome the training. El Paso County realized that this law was problematic for a number of reasons, including dog bites to humans, attacks on other dogs, problems for equestrians, as well as the difficulties in enforcing the law, since the ability to control an animal via these means is very subjective. Therefore, El Paso County ultimately reinstated the leash laws. The same concerns exist with respect to e-collar control over dogs.

Based on the various factors, including the inability to regulate training with respect to electronic collars, it is staff's recommendation that the Municipal Code Ordinance with respect to the determination of what is considered a dog at large remains as currently drafted.

RECOMMENDATION:

For Council discussion and direction.

REQUESTED DIRECTION:

To provide information to Council for Council discussion, and Council direction.

ATTACHMENT:

None



MEMORANDUM

TO: Honorable Mayor and Members of Town Council
FROM: Jim Tsurapas, Chief of Police
DATE: March 28, 2022
SUBJECT: Police Department Update

ISSUE:

Police Department staff update to Council.

FISCAL/BUDGET IMPACT:

There is no fiscal impact associated with this presentation.

BACKGROUND:

Police Command staff will provide an update to Town Council on the Vision Program, a brief overview of the staffing study and the Community Response Team (CRT). Additionally, staff will present information on the Central Square RMS rehost and hybrid to web after rehost.

RECOMMENDATION:

This presentation is for informational purposes only.

REQUESTED DIRECTION:

For informational purposes only. No action is required.

ATTACHMENT:

None



MEMORANDUM

TO: Honorable Mayor and Members of Town Council
FROM: Kelsey Hall, Assistant Town Attorney
DATE: March 28, 2022
SUBJECT: Discussion on the Sale of Fireworks.

ISSUE:

Whether the Town of Parker (the "Town") should institute a ban on the sale and discharge of fireworks within Town limits. The Town currently prohibits the use and sale of fireworks when either Stage 1 or Stage 2 fire restrictions are in effect. The ban would prevent a situation under which a vendor is permitted to set up their booth but must abruptly cease operations due to fire restrictions.

FISCAL/BUDGET IMPACT:

Minimal. The Town of Parker historically has collected only a few thousand dollars each year from sales tax on fireworks. For example, the amount of sales tax collected on fireworks sold in Parker since 2015 is as follows:

- 2015: \$2,279.60
- 2016: \$4,156.53
- 2017: \$1,607.23
- 2018: \$1,285.24
- 2019: \$4,254.97
- 2020: \$0 (COVID)
- 2021: \$5,360.99

BACKGROUND:

1. Current State of the Law

The regulation of fireworks in the Town, including their sale and discharge, is governed by federal, state, and municipal law. Federal statutes largely relate to the safe storage and transportation of fireworks, while Colorado law sets forth which types of fireworks are permissible and the minimum age for purchase. Finally, both Douglas County and the Town of Parker have ordinances that ban the sale and discharge of fireworks when fire restrictions are in effect. While the Douglas County ordinance does not affect firework sales or use within the Town, the ordinances are complimentary.

C.R.S. §24-33.5-2001 defines fireworks as "any composition or device designed to produce a visible or audible effect by combustion, deflagration or detonation, and that meets the definition of articles pyrotechnic, permissible fireworks, or display fireworks." The statute goes on to define a subset of "permissible fireworks," which satisfy consumer product safety standards

and which may be legally discharged within the State. The only other restriction on fireworks contained in the State statute is that fireworks may only be sold to or be purchased by individuals who are sixteen years of age and older.

Next, Douglas County Ordinance No. O-012-004 prohibits the use of fireworks in any unincorporated areas of the County while fire restrictions are in place. At all other times, it is unlawful for any person to offer for sale any fireworks in the unincorporated areas of the County unless the vendor posts a notice that the use of fireworks is prohibited while fire restrictions are in effect.

Finally, the Town has ordinances prohibiting the use of fireworks on public and vacant land at all times, and prohibiting the use and sale of fireworks while fire restrictions are in effect. Therefore, permissible fireworks, as defined by State statute and as defined in Parker Municipal Code §6.04.020, may be purchased by and sold to any individual over the age of sixteen so long as no fire restrictions are in effect. Permissible fireworks may be discharged at any time and any location within the Town limits, with the exception of public and vacant land.

2. Historical Dates of Fire Restrictions

The Town of Parker works in tandem with Douglas County to enact fire restrictions when conditions require such restrictions. Since at least 2018, Douglas County has enacted fire restrictions each year, though the timing varies and does not always correspond with the July 4th holiday when fireworks are most frequently in use. For example, the latest data available from the Douglas County Sheriff's Office is as follows:

- 2018: Stage 1 Restrictions
 - March 15 – April 26
 - June through July 26
- 2019: Stage 1 Restrictions
 - October 3 through October 25
- 2020: Stage 1 or 2 in effect for the entirety of the summer and fall. However, all restrictions were rescinded on December 16, 2020.
- 2021: Stage 1 Restrictions
- December 30, 2021 through February 7, 2022

Please note that this dataset may be incomplete as no formal record of fire restrictions is maintained by the Sheriff's Office.

3. Fireworks Bans, or Lack Thereof, in Other Jurisdictions

Most municipalities along the Front Range have at least some restrictions on the sale and use of fireworks. Jurisdictions that have a total ban on the sale and use of fireworks include:

- Arvada

- Boulder
- Broomfield
- Centennial
- Colorado Springs
- Fort Collins
- Golden
- Greenwood Village
- Lakewood
- Monument
- Thornton

It should be noted that the bans in these jurisdictions do not include professional fireworks displays. These displays often require a permit and must be conducted by licensed professionals who also carry liability insurance. Virtually no jurisdictions along the Front Range bar professional fireworks displays.

Jurisdictions with some restrictions on the use and sale of fireworks include:

- Aurora
- Douglas County
- Castle Rock
- Denver
- Elizabeth
- Westminster
- Wheat Ridge

These restrictions include prohibiting the use of fireworks on any park or open space land, only permitting the discharge of fireworks on certain dates each year, and prohibiting the use and sale of fireworks while fire restrictions are in effect.

Finally, jurisdictions that simply follow the State statute and allow the sale and use of permissible fireworks by individuals aged sixteen and older include:

- Englewood
- Greeley
- Littleton
- Lone Tree

4. Proposed Action Analysis

There are several options for the Town Council to consider if it desires to enact additional restrictions on the use and sale of fireworks within the Town limits: 1) a total ban; 2) prohibiting fireworks except for pre-determined dates each year; or 3) leave the ordinance unchanged.

a. Total Ban on the Use and Sale of Fireworks

If the Town opts to completely prohibit the sale and use of fireworks, it would join many municipalities already doing so along the front range. However, it would be surrounded by

jurisdictions that largely do not prohibit the sale or use of fireworks. For instance, a Town citizen could easily drive to unincorporated Douglas County to purchase fireworks even if the sale were prohibited in the Town. Furthermore, enforcement may be difficult given the large number of people who set off fireworks around the 4th of July holiday.

A sample ordinance prohibiting the sale and use of fireworks within the Town is attached as Exhibit A.

b. Date-Specific Ban on the Use and Sale of Fireworks

Another model that Council could consider would be to only permit the sale and use of fireworks during certain dates. For example, Castle Rock only grants permits to sell fireworks between June 28 and July 4 each year. The use of fireworks is further restricted to July 4th between the hours of 8:00 am and 10:00 pm.

RECOMMENDATION:

None at this time.

REQUESTED DIRECTION:

Provide guidance to staff as to whether Council would like to proceed with an ordinance that would either further restrict the sale and use of fireworks within the town or completely ban the sale and use of fireworks.

ATTACHMENT:

1. Fireworks Ban Chapters 6.04 and 6.06 Ord Draft
2. Fireworks Ban Sec 11.04.050 Ord Draft
3. Fireworks Ban 13.04.210 Ord Draft

ORDINANCE NO. [#] , Series of 2022

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 6.04.020, 6.04.050 AND 6.06.050 OF THE PARKER MUNICIPAL CODE CONCERNING A PROHIBITION ON THE SALE AND USE OF FIREWORKS, INCLUDING WHEN FIRE RESTRICTIONS ARE NOT IN EFFECT

WHEREAS, in 2018, the Town Council amended the Parker Municipal Code to prohibit the use and sale of fireworks when Stage 1 or Stage 2 fire restrictions are in place;

WHEREAS, Stage 1 or Stage 2 fire restrictions have been enacted [data];

WHEREAS, [placeholder];

WHEREAS, most jurisdictions in the Denver Metro Area and along Colorado's Front Range have either a complete ban on the use and sale of fireworks, or strictly limit such use and sale.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. Section 6.04.020 of the Parker Municipal Code is amended to read as follows:

6.04.020 Definitions.

As used in this Chapter, unless the context otherwise requires:

~~Fireworks means any article, device, or substance prepared for the primary purpose of producing a visual or auditory sensation by combustion, explosion, deflagration or detonation which meets the description of fireworks as set forth in the United States Department of Transportation hazardous materials regulations, Title 49, Code of Federal Regulations, Parts 173.88 and 173.100, and including, but not limited to, the following articles and devices commonly known and used as fireworks:~~

- ~~a. Toy cannons or toy canes in which explosives are used;~~
- ~~b. Blank cartridges;~~
- ~~c. Firecrackers;~~
- ~~d. Torpedoes;~~
- ~~e. Skyrockets;~~
- ~~f. Rockets;~~

- ~~g. Roman candles;~~
- ~~h. Cylindrical fountains, whether or not defined as a permissible firework pursuant to Section 12-28-101, C.R.S.;~~
- ~~i. Cone fountains, whether or not defined as a permissible firework pursuant to Section 12-28-101, C.R.S.;~~
- ~~j. Wheels, whether or not defined as a permissible firework pursuant to Section 12-28-101, C.R.S.;~~
- ~~k. Ground spinners, whether or not defined as a permissible firework pursuant to Section 12-28-101, C.R.S.;~~
- ~~l. Illuminating torches and colored fire in any form, whether or not defined as a permissible firework pursuant to Section 12-28-101, C.R.S.;~~
- ~~m. Day Glo bombs and torches; and~~
- ~~n. Any other fireworks of like construction and any fireworks containing any explosive or flammable compound, or any tablets or other device containing any explosive substance.~~

~~Fireworks does not include:~~

- ~~a. Toy caps which do not contain more than twenty-five hundredths (.025) of a grain of explosive compound per cap;~~
- ~~b. Highway flares, railroad fuses, ship distress signals, smoke candles, and other emergency signal devices;~~
- ~~c. Educational rockets and toy propellant device type engines used in such rockets when such rockets are nonmetallic construction and utilize replaceable engines or model cartridges containing less than two (2) ounces of propellant and when such engines or model cartridges are designed to be ignited by electrical means.~~

has the same meaning as set forth in Section 12-28-101(3), C.R.S., and shall specifically include “permissible fireworks” as defined in Section 12-28-101(8), C.R.S.

* * *

Section 2. Section 6.04.050 of the Parker Municipal Code is amended to read as follows:

6.04.050 Notice of fireworks ordinance. Sale and use of fireworks prohibited.

~~No person shall sell any fireworks at retail, without providing a notice to the person purchasing such fireworks, which shall be in the following form:~~

~~(1) "WARNING! It is unlawful for any person to use or explode, or have in his or her possession with intent to use or explode any fireworks on vacant land or public land and located in the Town of Parker."~~

~~(2) "WARNING! A fine of Six Hundred Dollars (\$600.00) may be levied on any person that uses or explodes, or has in their possession with intent to use or explode any fireworks on vacant land or public land located in the Town of Parker."~~

(a) Except as specifically provided in this Chapter, it is unlawful for any person to manufacture, offer for sale, expose for sale, or sell any fireworks or to have such items in his or her possession with the intent to offer said items for sale.

(b) Except as specifically provided in this Chapter, it is unlawful for any person to use or explode any fireworks.

Section 3. Section 6.06.060 of the Parker Municipal Code is amended to read as follows:

6.06.060 Unlawful acts.

~~(a)~~ Except as provided in Section 6.06.070 or 6.06.080 below, when restrictions on open fires, open burning and use of fireworks are enacted, it shall be unlawful for any person to build, maintain, attend or use an open fire, conduct open burning or use fireworks in the Town, including public, private, state and federal lands. This includes: the operation or use of any internal combustion engine (e.g., chainsaw, etc.) without a spark-arresting device properly installed, maintained and in effective working order, and the operation of any pest control equipment that relies upon the ignition of flammable gases or liquids.

~~(b) It shall also be unlawful for any person to offer for sale any fireworks, as defined in Section 6.06.050 above, in the Town when a Stage 1 Fire Ban or a Stage 2 Fire Ban, as defined in herein, is in effect.~~

Section 4. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 5. 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 application to other persons or circumstances.

Section 5. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2022.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2022.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Town Attorney's Office

ORDINANCE NO. [#] , Series of 2022

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTION 11.04.050 OF THE PARKER MUNICIPAL CODE CONCERNING AMENDMENTS TO THE INTERNATIONAL FIRE CODE

WHEREAS, the Town of Parker prohibits the use and sale of fireworks at all times; and

WHEREAS, the Town Council desires to clarify that fireworks may never be sold within Town limits, even when there are no fire restrictions in place.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. Section 11.04.050(23) of the Parker Municipal Code is amended to read as follows:

11.04.050 Amendments.

The International Fire Code, as adopted by this Chapter, is hereby amended as follows (article numbers correspond with those in the International Fire Code):

* * *

(23) Amend Exception #4 of Section 5601.1.3, Fireworks, to read:

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

"Exceptions:

"1. Unchanged.

"2. Deleted.

"3. The use of fireworks for fireworks displays as allowed in Section 5608.

~~"4. The possession, storage, sales, handling, and use of permissible fireworks, as defined by Section 12-28-101, C.R.S., as amended, as follows:~~

~~"Permissible fireworks as defined by Section 12-28-101, C.R.S. as amended, are permitted in the Town, except as provided by Chapter 6.04 of the Parker Municipal Code, as amended. Permissible fireworks include the following:~~

~~"a. Cylindrical fountains, total pyrotechnic composition not to exceed seventy-five grams each for a single tube or, when more than one tube is mounted on a common base, a total pyrotechnic composition of no more than two hundred grams;~~

~~"b. Cone fountains, total pyrotechnic composition not to exceed fifty grams each for a single cone or, when more than one cone is mounted on a common base, a total pyrotechnic composition of no more than two hundred grams;~~

~~"c. Wheels, total pyrotechnic composition not to exceed sixty grams for each driver unit or two hundred grams for each complete wheel;~~

~~"d. Ground spinner, a small device containing not more than twenty grams of pyrotechnic composition venting out of an orifice usually in the side of the tube, similar in operation to a wheel, but intended to be placed flat on the ground;~~

~~"e. Illuminating torches and colored fire in any form, total pyrotechnic composition not to exceed two hundred grams each;~~

~~"f. Dipped sticks and sparklers, the total pyrotechnic composition of which does not exceed one hundred grams, of which the composition of any chlorate or perchlorate shall not exceed five grams;~~

~~"g. Any of the following that do not contain more than fifty milligrams of explosive composition:~~

~~"1. Explosive auto alarms;~~

~~"2. Toy propellant devices;~~

~~"3. Cigarette loads;~~

~~"4. Strike on box matches; or~~

~~"5. Other trick noise makers;~~

~~"h. Snake or glow worm pressed pellets of not more than two grams of pyrotechnic composition and packaged in retail packages of not more than twenty-five units;~~

~~"i. Multiple tube devices with:~~

~~"1. Each tube individually attached to a wood or plastic base;~~

~~"2. The tubes separated from each other on the base by a distance of at least one half of one inch;~~

~~"3. The effect limited to a shower of sparks to a height of no more than fifteen feet above the ground;~~

~~"4. Only one external fuse that causes all of the tubes to function in sequence; and~~

~~"5. A total pyrotechnic composition of no more than five hundred grams.~~

~~"j. 'Permissible fireworks' do not include aerial devices or audible ground devices, including, but not limited to, firecrackers."~~

* * *

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 3. 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 application to other persons or circumstances.

Section 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2022.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2022.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Town Attorney's Office

ORDINANCE NO. [#] , Series of 2022

**TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTION 13.04.210 OF THE
PARKER MUNICIPAL CODE CONCERNING TEMPORARY
STRUCTURES AND USES**

WHEREAS, the Town of Parker prohibits the use and sale of fireworks at all times; and

WHEREAS, the Town Council desires to clarify that fireworks may never be sold within Town limits, even when there are no fire restrictions in place.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. Section 13.04.210 of the Parker Municipal Code is amended to read as follows:

13.04.210 Temporary structures and uses.

* * *

(c) Temporary uses.

(1) Temporary uses shall be limited to the following uses:

a. Christmas tree lots.

b. Agricultural products.

~~c. Fireworks stands.~~

~~d.~~ c. Carnivals, circuses and festivals.

~~e.~~ d. Markets including flea markets, farmers' markets, and holiday/seasonal markets.

~~f.~~ e. Promotional events.

(2) Definitions.

a. *Christmas tree lot* means a property used for the temporary storage and retail sale of trees.

b. *Agricultural products* means a property used for the temporary storage and retail sale of agricultural products which are intended to be consumed offsite.

~~e. **Fireworks stand** means a property used for the temporary storage and retail sale of allowed fireworks.~~

~~d. c.~~ *Carnivals, circuses and festivals.*

~~e. d.~~ *Flea markets, farmers' markets, holiday/seasonal markets* mean a property used for the temporary establishment of an outdoor market where goods are stored and sold to patrons.

~~f. e.~~ *Promotional events* mean an event in which items normally found and sold within an existing permitted building on the property are temporarily stored and sold outside of the existing building/use. The temporary use shall not exceed two thousand (2,000) square feet.

*All above uses shall be permitted under a temporary use permit, unless a Community Event Permit, as described in Chapter 10.08, is issued for the use, in which case a temporary use permit is not required.

* * *

(10) The temporary use shall be operated in compliance with Title 6 of this Code, including, but not limited, to noise, litter, trash and debris from such use. ~~A fireworks stand is not eligible for a temporary use permit when a Stage 1 Fire Ban or a Stage 2 Fire Ban, as defined in Chapter 6.06 of the Code, is in effect.~~

(11) Temporary use permit submittal requirements. Requests for temporary uses shall require the issuance of a temporary use permit. Application for a permit shall be accompanied by the following information:

- a. A temporary use permit application.
- b. A plot plan for the site which shall include:
 1. All required setbacks;
 2. Access to the temporary use from a public right-of-way;
 3. Dimensions of all existing and proposed structures, uses, display areas, lighting and parking (if applicable), and any additional relevant information;
 4. Location of required off-street parking and loading areas, if applicable. All temporary uses which generate a need for parking shall provide parking on the same lot where the temporary use is located; and
 5. Location, type and size of any proposed signage.

c. An authorization letter from the legal property owner giving the applicant permission to apply for a temporary use permit.

d. Permits from the Building Department as may be required by the Town.

e. All signage for the temporary use shall be submitted as part of the temporary use permit and shall be in compliance with Chapter 13.09 of this Code.

Schedule 13.04.210

<i>Use</i>	<i>Permit Required</i>	<i>Duration</i>	<i>Fee</i>	<i>Renewal</i>
Temporary Structures				
Replacement of existing structure	Building Permit	Upon issuance of a CO or upon	Building Permit Fee Schedule	—
Temporary Sale/Construction Trailer	Building Permit	substantial completion of a project that does not require a CO	Building Permit Fee Schedule	—
Temporary School Structure	Building Permit	Shall be used for school classroom purposes.	Building Permit Fee Schedule	—
Temporary Uses				
Christmas Tree Lot	Temporary Use Permit	45 days	\$50	Permits are valid for the time allowed through the permit. Each year a new permit is required for the event. Additional fees and permits may be required through the Building Department.
Agricultural Products	Temporary Use Permit	90 days	\$50	
Fireworks Stand	Temporary Use Permit	30 days	\$50	
Carnival, Circus or Festival	Temporary Use Permit	10 days	\$50	
Flea Market/Farmers' Market	Temporary Use Permit	150 days	\$50	
Promotional Event	Temporary Use Permit	45 days	\$50	

* * *

(d) Revocation/Suspension. The Planning Director or designee may revoke a temporary use permit for failure to comply with the terms of the permit or the Code. ~~The Planning Director or designee shall suspend any permit issued for a fireworks stand during the period of time that a Stage 1 Fire Ban or a Stage 2~~

~~Fire Ban, as defined in Chapter 6.06 of the Code, is in effect.~~ The decision of the Planning Director or designee to terminate or suspend a temporary use permit may be appealed to the Town Council within fifteen (15) days of the date of the decision.

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 3. 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 application to other persons or circumstances.

Section 4. This Ordinance shall become effective ten (10) days after final publication.

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Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2022.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Town Attorney's Office

TOWN OF PARKER COUNCIL AGENDA

April 4, 2022

Notes:

Town Council meeting packets are prepared several days prior to the meeting. This information is reviewed and studied by the Councilmembers eliminating lengthy discussions to gain a basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis on the part of Council.

Ordinances listed for first reading are being approved to introduce them. Public comment will be held upon second reading.

Start times for regular agenda items are tentative; some items may be held earlier than scheduled time.

Public comment for items that are not on the agenda may be made in person, by Zoom or electronically at <http://parkeronline.org/CouncilPublicComment>. For those unable to provide comments in person, electronically through the website or via Zoom, please contact the Clerk's Office to make alternative arrangements. The Town Clerk can be reached at 303-805-3198. Public comments provided electronically through the website that are provided by 5:00 p.m. on the day of the regular or special Town Council meeting will be provided to the Town Council and will be included with the approved minutes of the Town Council meeting.

Virtual Public Participation by Zoom Webinar: Instructions on how to participate in the public comment or public hearing part of the meeting are available by viewing the individual Town Council meeting listings on the Town's online calendar at www.parkeronline.org/calendar.

Public Viewing Only - Facebook Live: Town Council meetings may be viewed through Facebook Live from the Town of Parker website: www.facebook.com/townofparkerco.

PLEASE NOTE: Public participation is NOT available through Facebook Live.

1. TOWN COUNCIL MEETING SCHEDULE

- A. 5:00 P.M. – Call to Order Town Council Meeting and Roll Call**
- B. Executive Session – Immediately following Call to Order/Roll Call – (See Attached)**
- C. Reconvene Town Council Meeting at 7:00 P.M. or as soon thereafter as the regular public meeting can be conducted.**

2. SPECIAL PRESENTATIONS

- **KidsTown Parker Recognition**
- **PROCLAMATION - Victims' Rights Week - April 24-30 - Madison Lengel, Office of District Attorney John Kellner, 18th Judicial District**

- 3. PUBLIC COMMENTS (No action will be taken on these items.)** *Public Comment is an opportunity for Town residents and other interested individuals to speak about items that are NOT on the agenda. This comment period is limited to 30 minutes total time, with each individual allowed a maximum of 3 minutes to speak. You must sign up ahead of time in order to comment, and that sign up begins 30 minutes before the start of the meeting. The Council will accommodate as many speakers as possible during this time—with preference to Town residents—but if public comment extends beyond the allotted 30 minutes, Town Council will continue the comment period at the end of the meeting, prior to adjourning for those who signed up before the meeting.*

4. **REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL**

5. **CONSENT AGENDA**

Consent Agenda Items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless Council votes to remove an item for individual discussion. Ordinances on the Consent Agenda are for introduction only and will not be removed for discussion.

A. *APPROVAL OF MINUTES - March 21, 2022*

B. *ORDINANCE NO. 9.348 - First Reading*

An Ordinance for an Intergovernmental Agreement with the Mile High Flood District for the Design and Construction of Improvements to West Stroh Gulch

Department: Engineering and Public Works, Alex Mestdagh

Second Reading: April 18, 2022

C. *ORDINANCE NO. 9.349 - First Reading*

A Bill for an Ordinance to Approve the Intergovernmental Agreement for Court Clerk Services By and Between the Town of Parker and the City of Lone Tree

Department: Town Administrator, Michelle Kivela

Second Reading: April 18, 2022

D. *RESOLUTION NO. 22-016*

A Resolution to Approving the Town of Parker Comprehensive Facility Master Plan

Department: Engineering and Public Works, Jim Gilbert

E. *RESOLUTION NO. 22-017*

A Resolution Authorizing the Possession and Consumption of Alcoholic Beverages in Discovery Park, Subject to Certain Conditions

Department: Cultural, Carrie Glassburn

F. *RESOLUTION NO. 22-024*

A Resolution to Amend the Administrative Organization Plan for the Town of Parker

Department: Town Administrator, Michelle Kivela

G. *CONTRACTS OVER \$100,000*

1. *2022 Townwide Pavement Preservation Program (CIP22-009)*

Amount: \$1,831,338.09

Contractor: Vance Brothers, Inc.

Department: Engineering and Public Works, Danny Smith

2. *Contract with IREA/CORE to Relocate Electrical Facilities Related to the Mainstreet North*

Sidewalk Project (Victorian Drive to PACE Center Drive)

Amount: \$198,860.20

Contractor: CORE Electric Cooperative

Department: Engineering and Public Works, Bob Exstrom

3. *Zoom UCasS Phone System*

Amount: \$402,000 over 5 years

Contractor: Carahsoft

Department: Finance, Matt Lynch

4. *Cottonwood Drive Widening CIP 20-004 Professional Services Agreement – Contract Modification*

Amount: \$97,465.00

Contractor: Felsburg Holt & Ullevig

Department: Engineering and Public Works, Tom Gill

5. *2022 Townwide Roadway Reconstruction Program*

Amount: \$107,000

Contractor: Stanley Consultants

Department: Engineering and Public Works, Tom Gill

6. *Police Records Management System Rehost and Hybrid to Web Migration Services - Contract Modification*

Amount: \$67,470.00

Contractor: Central Square Technologies

*Department: Police Department, Jim Tsurapas
Police Department, Ron Combs*

6. **PUBLIC HEARINGS**

ORDINANCE NO. 1.553.1 - Second Reading (Continued from March 21, 2022)

A Bill for an Ordinance to Adopt the 2022 Revised Budget for the Town of Parker and to Make Appropriations for the Same

Department: Finance, Jennifer Campbell

7. **PUBLIC COMMENTS CONTINUED IF NECESSARY**

8. **ADJOURNMENT**

TOWN OF PARKER COUNCIL AGENDA

April 18, 2022

Notes:

Town Council meeting packets are prepared several days prior to the meeting. This information is reviewed and studied by the Councilmembers eliminating lengthy discussions to gain a basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis on the part of Council.

Ordinances listed for first reading are being approved to introduce them. Public comment will be held upon second reading.

Start times for regular agenda items are tentative; some items may be held earlier than scheduled time.

Public comment for items that are not on the agenda may be made in person, by Zoom or electronically at <http://parkeronline.org/CouncilPublicComment>. For those unable to provide comments in person, electronically through the website or via Zoom, please contact the Clerk's Office to make alternative arrangements. The Town Clerk can be reached at 303-805-3198. Public comments provided electronically through the website that are provided by 5:00 p.m. on the day of the regular or special Town Council meeting will be provided to the Town Council and will be included with the approved minutes of the Town Council meeting.

Virtual Public Participation by Zoom Webinar: Instructions on how to participate in the public comment or public hearing part of the meeting are available by viewing the individual Town Council meeting listings on the Town's online calendar at www.parkeronline.org/calendar.

Public Viewing Only - Facebook Live: Town Council meetings may be viewed through Facebook Live from the Town of Parker website: www.facebook.com/townofparkerco.

PLEASE NOTE: Public participation is NOT available through Facebook Live.

1. TOWN COUNCIL MEETING SCHEDULE

- A. 5:00 P.M. – Call to Order Town Council Meeting and Roll Call**
- B. Executive Session – Immediately following Call to Order/Roll Call – (See Attached)**
- C. Reconvene Town Council Meeting at 7:00 P.M. or as soon thereafter as the regular public meeting can be conducted.**

2. SPECIAL PRESENTATIONS

3. DOWNTOWN BUSINESS ALLIANCE UPDATE

- 4. PUBLIC COMMENTS (No action will be taken on these items.)** *Public Comment is an opportunity for Town residents and other interested individuals to speak about items that are NOT on the agenda. This comment period is limited to 30 minutes total time, with each individual allowed a maximum of 3 minutes to speak. You must sign up ahead of time in order to comment, and that sign up begins 30 minutes before the start of the meeting. The Council will accommodate as many speakers as possible during this time—with preference to Town residents—but if public comment extends beyond the allotted 30 minutes, Town Council will continue the comment period at the end of the meeting, prior to adjourning for those who signed up before the meeting.*

5. REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

6. **CONSENT AGENDA**

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A. *APPROVAL OF MINUTES*

B. *ORDINANCE NO. 1.559 - First Reading*

A Bill for an Ordinance to Release a Portion of the Slope Easement for Hess Road Associated with Pine Bluffs Filing 4, Amendment 1, Lot 3, Pursuant to Section 13.07.120(c)(5) of the Parker Municipal Code

Department: Engineering and Public Works, Alex Mestdagh

Second Reading: May 2, 2022

C. *ORDINANCE NO. 9.328.1 - First Reading*

A Bill for an Ordinance to Approve the First Amendment to the Intergovernmental Agreement By and Between the Town of Parker and the Board of County Commissioners of the County of Douglas Regarding Cost Sharing for the Lincoln Avenue (Jordan to Parker Road) Project

Department: Engineering and Public Works, Chris Hudson

Second Reading: May 2, 2022

D. *RESOLUTION NO. 22-019*

A Resolution Accepting the Conveyance of a Drainage Easement from Brytar Parker CO LP, for a Portion of Horseshoe Ridge Subdivision 3rd Amendment (Learning Express)

Department: Engineering and Public Works, Alex Mestdagh

E. *RESOLUTION NO. 22-020*

A Resolution Accepting the Conveyance of a Drainage Easement from Brytar Parker CO LP, for a Portion of Horseshoe Ridge Subdivision 3rd Amendment (Commercial LDE)

Department: Engineering and Public Works, Alex Mestdagh

F. *RESOLUTION NO. 22-021*

A Resolution Accepting the Conveyance of a Drainage Easement from NLD Parker LLC, for a Part of Lot 6, Parker and Pine Filing 1

Department: Engineering and Public Works, Alex Mestdagh

G. *RESOLUTION NO. 22-022*

A Resolution Accepting the Conveyance of a Drainage Easement from Cobblestone Denver Propco, LLC, for Lot 6, Country Meadows Square, 3rd Amendment

Department: Engineering and Public Works, Alex Mestdagh

H. *CONTRACT OVER \$100,000*

1. *Construction Management Contract of Mainstreet/Twenty Mile Turn Lanes*

Amount:

Contractor:

Department: Engineering and Public Works, Bob Exstrom

7. **ORDINANCES**

A. **ORDINANCE NO. 9.348 - Second Reading**

An Ordinance for an Intergovernmental Agreement with the Mile High Flood District for the Design and Construction of Improvements to West Stroh Gulch

Department: Engineering and Public Works, Alex Mestdagh

B. **ORDINANCE NO. 9.349 - Second Reading**

A Bill for an Ordinance to Approve the Intergovernmental Agreement for Court Clerk Services By and Between the Town of Parker and the City of Lone Tree

Department: Town Administrator, Michelle Kivela

8. **PUBLIC COMMENTS CONTINUED IF NECESSARY**

9. **ADJOURNMENT**