

TOWN OF PARKER COUNCIL AGENDA

August 17, 2026

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.

Public comment for items that are not on the agenda may be made in person or electronically at <http://parkerCO.gov/CouncilPublicComment>. For those unable to provide comments in person or electronically through the website, please contact the Clerk's Office to make alternative arrangements. The Town Clerk can be reached at 303-805-3198. Public comments submitted electronically through the website that are received 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.

Public Viewing Only - YouTube: Town Council meetings may be viewed live on YouTube at www.youtube.com/townofparkerco.

PLEASE NOTE: Public participation is NOT available through YouTube.

1. TOWN COUNCIL MEETING SCHEDULE

- A. 5:30 P.M. – Call to Order Town Council Meeting and Roll Call
- B. Executive Session – Immediately following Call to Order/Roll Call – (See Attached)
- C. Council Updates/Work Session - Immediately following Executive Session, if time allows.
- D. Reconvene Town Council Meeting at 7:00 P.M. or as soon thereafter as the regular public meeting can be conducted.

2. **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. As any matters raised by individuals during public comment are not on the agenda and other potentially interested parties would not, therefore, be aware of the discussion of these matters, the Town Council will not engage in dialogue regarding any items raised during public comment.*

3. REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

4. 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 - August 3, 2026*

- B. *ORDINANCE NO. 5.84 - First Reading*
A Bill for an Ordinance to Repeal and Readopt in its Entirety Chapter 5.10 of the Parker Municipal Code Concerning Massage Facilities

Department: Town Attorney, Corey Hoffmann
Town Clerk, Chris Vanderpool

Second Reading: September 8, 2026

- C. *ORDINANCE NO. 1.676 - First Reading*
A Bill for an Ordinance Conveying Certain Real Property By Easement to Parker Water and Sanitation District for the Salisbury Regional Park Phase 2 Project

Department: Parks, Recreation and Open Space, Brett Collins

Second Reading: September 8, 2026

5. **ORDINANCES**

ORDINANCE NO. 3.375.1 - Second Reading

A Bill For an Ordinance Affirming the Passage of Emergency Ordinance No. 3.375, Series of 2026, a Bill for an Emergency Ordinance to Impose a Temporary Suspension for Nine (9) Months in Duration on the Acceptance and Processing of Any Application for Any Land Use Approval or Building Permit for the Development or Construction of Drone Dispatch and Delivery Facilities or Related Use Within the Corporate Limits of the Town of Parker

Department: Town Attorney, Lindsay Jordan

6. **PUBLIC COMMENTS CONTINUED IF NECESSARY**

7. **ADJOURNMENT**

Parker Town Council

Executive Session Agenda

August 17, 2026

“To consider personnel matters, pursuant to C.R.S. § 24-6-402(4)(f).”

1. Town Manager Evaluation Discussion

**TOWN OF PARKER COUNCIL
MINUTES
AUGUST 3, 2026**

Mayor Joshua Rivero called the meeting to order at 5:01 p.m. All Councilmembers were present.

Interim Town Attorney Lindsay Jordan advised that there were three topics for discussion in the Executive Session to hold a conference with the Town's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b). The first item was for legal advice related to specific legal questions concerning fencing at Pine Lane Nursey. The second item was a legal discussion related to Section 13.03.040(y)(2) of the Parker Municipal Code regarding waivers. The third item was for legal advice to answer questions related to expressive activities at Town events.

EXECUTIVE SESSION

Brandi Wilks moved and Anne Barrington seconded to enter into Executive Session at 5:03 p.m. to hold a conference with the Town's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b).

The motion was approved unanimously.

Brandi Wilks moved and Anne Barrington seconded to come out of the Executive Session at 6:07 p.m.

The motion was approved unanimously.

COUNCIL UPDATES/WORK SESSION

The following items were discussed during the Work Session:

- Group photo of Town Council
- Food truck vendors and mobile businesses

Erik Frandsen moved and Anne Barrington seconded to recess the regular meeting until 7:00 p.m.

The motion was approved unanimously.

REGULAR MEETING

Mayor Rivero reconvened the meeting to order at 7:00 p.m.

Mayor Rivero led the Council and audience in the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Rivero entered a written comment from Sara Moore into the record to be included with the meeting minutes.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

Each Councilmember reported on meetings and activities they attended since the last Town Council meeting.

CONSENT AGENDA

- A. *APPROVAL OF MINUTES - July 20, 2026*
- B. *ORDINANCE NO. 3.375.1 - First Reading*
A Bill For an Ordinance Affirming the Passage of Emergency Ordinance No. 3.375, Series of 2026, a Bill for an Emergency Ordinance to Impose a Temporary Suspension for Nine (9) Months in Duration on the Acceptance and Processing of Any Application for Any Land Use Approval or Building Permit for the Development or Construction of Drone Dispatch and Delivery Facilities or Related Use Within the Corporate Limits of the Town of Parker
Department: Town Attorney, Lindsay Jordan
Second Reading: August 17, 2026
- C. *RESOLUTION NO: 26-052*
A Resolution Accepting the Drainage Easement Agreement by and between VR Sliceroo LLC and the Town of Parker for a Portion of Lot 10B, Douglas 234, Filing No. 6, Amendment 2
Department: Engineering and Public Works, Charles Kudlauskas
- D. *RESOLUTION NO. 26-053*
A Resolution Accepting a Drainage Easement from PRD at Parker, LLC for a Portion of Lot 1A, Dransfeldt Place Minor Development Plat Amendment No. 1
Department: Engineering and Public Works, Charles Kudlauskas
- E. *RESOLUTION NO. 26-054*
A Resolution Accepting a Drainage Easement from O'Reilly Auto Enterprises, LLC for Portions of Lot 2-2A, Cottonwood Highlands Filing No. 6
Department: Engineering and Public Works, Charles Kudlauskas
- F. *RESOLUTION NO. 26-055*
A Resolution Accepting a Drainage Easement from Town and Country Village Homeowners Association, Inc. for a Portion of Tract A, Town and Country Village Filing No. 4
Department: Engineering and Public Works, Alex Mestdagh
- G. *RESOLUTION NO. 26-056*
A Resolution Accepting Drainage Easements from CD-Parker, LLC for Portions of Lot 4, Mainstreet & Pine Marketplace Fourth Amendment
Department: Engineering and Public Works, Alex Mestdagh
- H. *RESOLUTION NO. 26-057*
A Resolution Accepting an Access Easement from CD-Parker, LLC for a Portion of Lot 4, Mainstreet & Pine Marketplace Fourth Amendment
Department: Engineering and Public Works, Alex Mestdagh

I. RESOLUTION NO. 26-058

A Resolution Accepting a Drainage Easement from Douglas County Libraries for a Portion of Lot 1, Mainstreet & Pine Marketplace Fourth Amendment

Department: Engineering and Public Works, Alex Mestdagh

J. CONTRACTS OVER \$500,000

1. Pine Drive (Parker Square Drive to Rodeo Circle) Reconstruction (CIP26-014) Contract Modification

Amount: \$177,546 addition to original contract amount of \$779,540 for a new total of \$957,086

Contractor: TALL Contracting & Consulting Co.

Department: Engineering and Public Works, Nathan Klass

Brandi Wilks moved and Todd Hendreks seconded to approve Consent Agenda Items 4A through 4J.

A roll call vote was taken:

Todd Hendreks - yes

Anne Barrington - yes

Brandi Wilks - yes

John Diak - yes

Erik Frandsen - yes

Laura Hefta - yes

The motion was approved unanimously.

PUBLIC HEARINGS

RESOLUTION NO. 26-059

A Resolution Consenting to the Exclusion of Property Located Within Cottonwood Highlands Metropolitan District No. 1 From the Cottonwood Metropolitan District and Approving the Intergovernmental Agreement and Plan Regarding Continuation of Services and Disposition of Assets

Department: Town Attorney, Lindsay Jordan

Mayor Rivero opened the Public Hearing at 7:10 p.m.

Cottonwood Highlands Metropolitan District No. 1 (Cottonwood Highlands #1) seeks consent from Town Council relating to Cottonwood Highlands #1 petition for exclusion from Cottonwood Metropolitan District ("Cottonwood Metro"). The proposed exclusion is anticipated to eliminate double taxation and facilitate enhanced provision of public services and facilities Cottonwood Highlands #1.

Colin Mielke, Cottonwood Highlands attorney, made a presentation on behalf of the Districts, and he and Kim Crawford, special counsel for the Town, answered questions from the Town Council.

Public Comments: None.

Mayor Rivero closed the public hearing at 7:35 p.m.

Brandi Wilks moved and Todd Hendreks seconded to approve Resolution No. 26-059, as part of the regular agenda.

A roll call vote was taken:

Todd Hendreks - yes
 Anne Barrington - yes
 Brandi Wilks - yes
 John Diak - yes
 Erik Frandsen - yes
 Laura Hefta - yes

The motion was approved unanimously.

ORDINANCES

ORDINANCE NO. 1.675 - Second Reading

A Bill for an Ordinance Asserting the Town of Parker's Home Rule Authority to Regulate Zoning, Including the Regulation of Residential Development, Which Authority Supersedes and Preempts House Bill 26-1001

**Department: Community Development, Bryan Isham
 Community Development, Bryce Matthews
 Town Attorney, Lindsay Jordan**

Passage of this ordinance asserts that the Town's home rule authority to regulate zoning supersedes and preempts House Bill 26-1001.

Public Comments: Bob Davis, Parker, asked if a local ordinance had any legal right to supersede a state law.

Laura Hefta moved and Erik Frandsen seconded to approve Ordinance No. 1.675 on second reading.

A roll call vote was taken:

Todd Hendreks - yes
 Anne Barrington - yes
 Brandi Wilks - yes
 John Diak - yes
 Erik Frandsen - yes
 Laura Hefta - yes

The motion was approved unanimously.

ADJOURNMENT

Mayor Rivero adjourned the meeting at 8:01 p.m.



Request for Town Council Action

Date: August 17, 2026

Submitted By: Lindsay Jordan, Deputy Town Attorney
Chris Vanderpool, Town Clerk

Reviewed By: Michelle Kivela, Town Manager

Title: **ORDINANCE NO. 5.84 - First Reading**
A Bill for an Ordinance to Repeal and Readopt in its Entirety Chapter 5.10 of the Parker Municipal Code Concerning Massage Facilities
Department: Town Attorney, Corey Hoffmann
Town Clerk, Chris Vanderpool
Second Reading: September 8, 2026

EXECUTIVE SUMMARY

This item was first presented to Town Council at the January 20, 2026 Study Session. Council directed staff to move forward with an ordinance to address massage facilities based on comprehensive changes to State law intended to create more uniform local massage facility regulations for all counties and municipalities by establishing a process requiring periodic criminal background checks for massage facility operators, owners, and employees. The changes to State law were initially triggered by the adoption of House Bill 24-1371 in 2024 and were further amended this past legislative session by the adoption of House Bill 26-1257. The Special Licensing Authority reviewed the ordinance at their July 2025 meeting and were in favor of moving the draft ordinance forward for Town Council's approval. Since that time, staff has been working on a system to process any massage facility applications consistent with the changes to State law.

The proposed ordinance repeals and readopts Chapter 5.10, which establishes a process for licensing massage facilities, inspection, and enforcement for massage facilities operating within the Town of Parker. It is based on authority granted under Colorado law as recently amended as set forth above, including C.R.S. § 30-15-401.4. It recognizes massage therapy as a legitimate health care profession regulated by the State of Colorado while distinguishing legitimate practices from businesses that use massage services as a cover for unlawful activities.

Staff has been working with the Colorado Bureau of Investigations (CBI) in order to obtain a fingerprint code necessary to complete background checks. Staff and CBI have worked on acceptable language to be included in the ordinance as it relates to the fingerprint process, background check, and how information is used from those results. After several renditions, CBI has indicated they are comfortable with how the ordinance is written. Once this ordinance is approved by Town Council, staff will forward the approved ordinance to CBI, who will then

share it with the FBI for their approval. The FBI will not review a draft version of an ordinance. They want to see what has been approved by the local jurisdiction. Once the FBI approves the ordinance, CBI will provide the Town Clerk with a fingerprint code to use for processing massage facility applications. If the FBI determines that the ordinance needs to be modified, it will come back to Town Council for additional amendments.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The ordinance is intended to protect legitimate massage therapy businesses and the public while providing the Town with regulatory tools to deter illicit massage businesses, human trafficking, prostitution-related activity, and other unlawful conduct. A summary is provided below.

Business and Individuals Covered

The ordinance generally applies to any place of business where massage therapy or full-body massage is practiced or administered.

Covered individuals include massage facility owners, operators, managers, controlling persons, officers, directors, partners, certain employees, and certain independent contractors. For purposes of the background-check requirement, the definition of employee excludes:

- State-licensed massage therapists; and
- Janitorial or routine maintenance contractors who have no client contact or only incidental client contact.

The ordinance also defines terms such as massage facility, illicit massage business, operator, owner, employee, erotic parlor, mobile massage unit, solo practitioner, table shower, and fully clothed.

Exemptions

The following facilities or activities are generally exempt when operating in accordance with state law:

- Training rooms at institutions of higher education;
- Training rooms used by recognized athletic teams;
- Medical offices, clinics, and licensed medical facilities;
- Barber shops, beauty salons, and similar establishments where massage is provided within the ordinary scope of a licensed profession;
- Certain athletic clubs;
- Temporary massage services offered for no more than 72 hours during a six-month period as part of a public or charitable event; and
- Qualifying solo massage practitioners. A solo practitioner is exempt only if the practitioner is a licensed massage therapist, complies with the ordinance's advertising and business-name requirements, and does not operate a table shower.

The Town Clerk's Office may verify whether a business qualifies for an exemption.

Massage Facility License Requirement

A person may not own or operate a massage facility in the town without a valid Town-issued massage facility license. A property owner may not knowingly permit premises to be used as an unlicensed massage facility. The Special Licensing Authority may approve, conditionally approve, or deny an application. Applications without derogatory information may be administratively approved by the Town Clerk. Applications involving derogatory information must be referred to the Special Licensing Authority for action and, when required, a hearing.

Application Requirements

A license application must include information concerning the applicant and the individuals associated with the business, including owners, operators, officers, directors, managers, partners, members, employees, principal owners, and persons holding a financial interest of 10% or more.

Background Checks

The ordinance establishes a Town-administered process for fingerprint-based state and national criminal history record checks through a vendor approved by the Colorado Bureau of Investigation (CBI).

All current owners, operators, and covered employees must submit to a background check by October 1, 2026. After that date, prospective owners, operators, and employees must submit to a background check before assuming ownership, beginning operations, or commencing employment.

Applicants are responsible for the cost of fingerprinting. Fingerprints are submitted to CBI and forwarded to the Federal Bureau of Investigation (FBI). When fingerprint results show an arrest without a disposition, the applicant may also be required to complete a name-based judicial record check.

Applicants may submit mitigating information, including evidence of rehabilitation, character references, educational achievements, and information concerning the time elapsed since a conviction.

The Town Clerk will review the results and initially determine whether an individual is eligible to be an owner, operator, or employee. An application is not complete until the Town receives the background-check results. The applicant and any known current or prospective massage facility employer must generally be notified of the eligibility determination within 30 days after receipt of a complete application.

Disqualifying Conduct

A person may not serve as an owner, operator, or covered employee if the person:

- Has not completed the required background check;
- Has been convicted of, or entered an accepted plea of guilty or nolo contendere to,

- specified prostitution, solicitation, human trafficking, or money-laundering offenses; or
- Is registered or legally required to register as a sex offender. The Special Licensing Authority may also consider convictions involving fraud, theft, or embezzlement. When criminal history is considered, the Special Licensing Authority must also consider mitigating and rehabilitation evidence submitted by the affected individual.
- An application may also be denied for unpaid fees, zoning or land-use noncompliance, prior massage facility license suspensions or revocations, or failure of covered individuals to complete required background checks.

Operating Requirements

Licensed massage facilities must:

- Maintain an onsite employee list with identifying and employment information;
- Ensure licensees, operators, and employees possess qualifying government-issued identification;
- Maintain copies of each massage therapist's valid state license and identification;
- Maintain business, payroll, employment, invoice, and service records;
- Maintain a massage log showing the date, time, type of service, and massage therapist providing each massage;
- Retain required records for at least one year;
- Display the massage facility license conspicuously;
- Operate only under the business name shown on the license;
- Maintain lawful possession and control of the licensed premises;
- Report material changes to application information;
- Report ownership or financial-interest changes before they occur; and
- Ensure operators, employees, and contractors remain fully clothed in professional, nontransparent attire while providing services or visible to clients.
- A licensed massage therapist must be present whenever a facility is open and providing massage therapy.

Prohibited Conduct

The ordinance prohibits, among other things:

- Operating without a license or while a license is suspended or revoked;
- Employing a person who has not completed a required background check;
- Allowing an unlicensed person to perform massage therapy;
- Advertising prostitution, sexual acts, escort services, human trafficking-related services, or other sexual services;
- Permitting sexual acts or sexual services within or in connection with the facility;
- Operating an erotic parlor;
- Interfering with an inspection or refusing to identify facility personnel;
- Failing to report sexual misconduct occurring at the facility;
- Requiring client nudity without prior consent;
- Allowing employees or contractors to provide a massage while not fully clothed;
- Permitting prostitution-related agreements involving an employee or contractor; and

- Using the facility as living or sleeping quarters, subject to a limited exception for the private residential portion of a qualifying home business.

Inspections

Town representatives, building inspectors, designees, and law enforcement officials must be granted access to the full premises whenever the business is open.

The Town may conduct inspections with assistance from the Parker Police Department. The Town Clerk's Office is not responsible for conducting criminal investigations and must refer suspected trafficking, prostitution, erotic-parlor activity, or other criminal conduct to the appropriate law enforcement agency.

Suspension, Revocation, and Non-Renewal

The Town Clerk may temporarily suspend, revoke, or decline to renew a license for violations of the ordinance, including prohibited conduct, employment of individuals who have not completed required background checks, employment of disqualified individuals, or ownership by a disqualified person.

A hearing before the Special Licensing Authority must be scheduled within 15 days after a temporary suspension. The facility may not operate while the suspension remains in effect.

A licensee receiving notice of non-renewal must request a hearing in writing within 10 days. Failure to do so makes the non-renewal decision final.

Penalties and Other Remedies

A violation constitutes a civil infraction punishable by a fine of up to \$999. Each act and each day of continuing violation may be treated as a separate offense.

A massage facility committing two or more violations may be declared a public nuisance. A nuisance-abatement action may be brought against the owner, operator, lessor, lessee, or property owner.

The ordinance permits the Town to pursue administrative, civil, criminal, nuisance abatement, and other available remedies cumulatively.

A person aggrieved by a final decision of the Special Licensing Authority may seek judicial review in Douglas County District Court pursuant to Colorado Rule of Civil Procedure 106(a)(4).

FINANCIAL IMPACT

A resolution will be presented to Town Council for approval regarding new application fees, renewal fees, and badge fees in the near future. These applications will generate a small amount of revenue for the Town. Applications will be processed by existing staff and no new staff will be needed at this time.

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY

ATTACHMENTS

1. Ordinance No. 5.84

RECOMMENDED MOTION

I move to introduce Ordinance No. 5.84 on first reading, as part of the consent agenda, and to schedule second reading for September 8, 2026.

ORDINANCE NO. 5.84, Series of 2026

TITLE: A BILL FOR AN ORDINANCE TO REPEAL AND READOPT IN ITS ENTIRETY CHAPTER 5.10 OF THE PARKER MUNICIPAL CODE CONCERNING MASSAGE FACILITIES

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

Section 1. Chapter 5.10 of the Town of Parker Municipal Code is hereby repealed and reenacted to read as follows:

CHAPTER 5.10 – Massage Facilities Regulation and Licensing

5.10.010 – Purpose and legislative findings.

(a) This Chapter is enacted pursuant to House Bill 22-1300, House Bill 24-1371 and House Bill 26-1257, as codified at C.R.S. § 30-15-401.4, and pursuant to Senate Bill 25-146 based on findings that:

- (1) Illicit massage businesses present a facade of legitimate services, concealing that the primary business is the sex and labor trafficking of victims who are trapped in these businesses;
- (2) Human trafficking is a growing problem throughout Colorado;
- (3) All local governments in the state already have authority to enact local legislation to establish licensing authorities to regulate or otherwise regulate massage facilities, and to deter and shut down illicit massage facilities; and
- (4) Because preventing the operation of illicit massage facilities by requiring current and prospective operators, owners, and employees of massage facilities to submit to periodic background checks and other regulation of massage facilities is a matter of mixed statewide and local concern, and because local governments have significant discretion to adopt ordinances and resolutions in accordance with local needs, it is necessary and appropriate, consistent with the above referenced Colorado law, that every current and prospective operator, owner, and employee of a massage facility submit to a background check, which generally means a fingerprint-based criminal history record check, as required by this Chapter.

(b) In accordance with House Bill 24-1371 and Senate Bill 25-146, this Chapter imposes new requirements on massage facilities within their jurisdictional boundaries regarding the establishment of a local process for conducting background checks which process is to ensure that all current and prospective operators, owners and employees of massage facilities submit to a background check.

(c) The provisions of C.R.S. § 12-235-101 *et seq.*, known as "The Massage Therapy Practice Act" (the "Act"), regulate the profession of massage therapy to provide for consistent statewide certification and oversight of massage therapy professionals.

(d) The purpose and intent of the Act and of C.R.S. § 30-15-401.4, is to regulate and protect legitimate massage therapists and massage therapy businesses in order to also safeguard and promote the public health, safety, and welfare of the citizens, including those residing within the Town, while recognizing that massage is a legitimate health care professional activity that provides benefits to the residents of the Town.

(e) The purpose and intent of Senate Bill 25-146 is to align Colorado fingerprint-based criminal history record check laws with federal requirements, and to clarify who is eligible to submit to, who is eligible to receive records from, and the types of records a governmental regulator may receive from a fingerprint-based record check.

(f) The reputation and success of legitimate massage therapy businesses is denigrated and undermined by individuals who mask their unlawful sexual activities and human trafficking by falsely posing as massage therapy businesses.

(g) The Town Council is authorized, pursuant to C.R.S. § 30-15-401.4, to adopt this Chapter in order to modify the legal authority of the Town's existing Special Licensing Authority to regulate massage businesses, and to deter and shut down illicit massage businesses.

(h) The Town Council therefore desires, pursuant to C.R.S. § 30-15-401.4, to adopt a new process that requires that all current operators, owners, and employees of massage facilities submit to a background check on or before October 1, 2026, and, thereafter, that all prospective operators, owners, and employees of massage facilities submit to a background check before assuming operation or ownership of a massage facility, and before commencing employment with a massage facility.

5.10.020 - Title and authority.

This Chapter shall be known and referred to as the "Town of Parker Massage Facility Chapter", and it shall establish a local process that ensures that background checks for every current and prospective owner, operator, and employee of a massage facility are completed; it shall establish business licensure requirements to regulate massage facilities in order to deter and shut down illicit massage facilities; and shall prohibit the operation of a massage facility in violation of this Chapter.

5.10.030 – Definitions.

Except as otherwise indicated by context, the following words, terms, and phrases shall have the following meanings for purposes of this Chapter:

- (a) "Advertise" or "Advertisement" means to publish, display, or disseminate information and including without limitation the issuance of any card, sign, or direct mail, or causing or permitting any sign or marking to be placed on or in any building or structure or in any newspaper, magazine, directory, or any announcement or display via any televised, computerized, electronic, or telephonic networks or media.
- (b) "Agent" or "Managing Agent" means an individual designated by a massage facility to act on behalf of the massage facility under this Chapter.
- (c) "Applicant" means the individual who has submitted a request to the Licensing Authority for a background check, an initial license, or renewal of a license to operate a massage facility.
- (d) "Background Check" means a fingerprint-based criminal history record check as described in this Chapter, conducted in accordance with C.R.S. §24-33.5-424.5, as may be amended. "Background Check" also includes, to the extent allowed or required, as applicable, by C.R.S. § 24-33.5-424.5(1)(g), as may be amended, when a fingerprint-based criminal history record check cannot be completed or reveals a record of arrest without disposition, a criminal history record check using the Colorado Bureau of Investigation's records and a name-based judicial record check, as defined in C.R.S. § 22-2-119.3(6)(d), as may be amended, may be performed using Colorado Judicial Department Records.
- (e) "Client" means an individual who enters into an agreement for massage therapy for a fee, income, or compensation of any kind.
- (f) "Control" means the power to direct or cause the direction of the management and policies of an applicant, licensee, controlling person, manager, agent, or employee, in any way.
- (g) "Controlling Person" means a person directly or indirectly possessing control of an applicant or licensee.
- (h) "Designee" means the Town Clerk, who is designated and authorized by the Licensing Authority to carry out the duties prescribed herein.
- (i) "Director" means a person who serves as a member of the entity that is responsible for the governance of the Massage Facility.
- (j) "Employee" means:
- (1) An individual who is employed by a massage facility; or
 - (2) An independent contractor who is hired by a massage facility to perform work that is part of the routine operations of the massage facility; provided, however, that, for the purpose of determining who is required to

submit to a background check under this Chapter, "Employee" does not include:

- A. A licensed massage therapist; or
 - B. An independent contractor who performs janitorial services or other routine facility maintenance services for a massage facility and has no contact with or only incidental contact with clients of the massage facility.
- (k) "Erotic Parlor" means a facility that entices clients through advertising or other business practices directed towards sexual desire, lust, or passion.
- (l) "Fully Clothed" means fully opaque, nontransparent material that must not expose an employee's genitalia or substantially expose the employee's undergarments.
- (m) "Home Business" means a business, profession, occupation, or trade that is conducted within a residential dwelling unit for the economic gain or support of a resident of the dwelling and is incidental and secondary to the residential use of the lot, and that does not adversely or perceptively affect the character of the lot or surrounding area.
- (n) "Illicit Massage Business" means a business that provides massage and engages in human trafficking-related offenses, as described in C.R.S. §§ 18-3-503 and 18-3-504, as may be amended, or commits other offenses as defined by state law or the Parker Municipal Code.
- (o) "Licensing Authority" for purposes of this Chapter 5.10 means the Town Clerk's Office.
- (p) "Manager" means an individual authorized by the licensee to exercise overall operational control of the business, to supervise employees, or to fulfill any of the functions required of a licensee or massage facility by this Chapter.
- (q) "Massage" or "Massage Therapy" means a system of structured touch, palpation, or movement of the soft tissue of another person's body in order to enhance or restore the general health and well-being of the recipient. Such system includes without limitation techniques such as effleurage, commonly called stroking or gliding; petrissage, commonly called kneading; tapotement or percussion; friction; vibration; compression; passive and active stretching within the normal anatomical range of movement; hydro massage; and thermal massage. Such techniques may be applied with or without the aid of lubricants, salt or herbal preparations, water, heat, or a massage device that mimics or enhances the actions of human hands. This term "Massage" or "Massage Therapy" is intended to have the same meaning as defined in C.R.S. § 12-235-104(4), as may be amended.

(r) "Massage Facility" means any place of business where massage therapy or full-body massage is practiced or administered. The term "Massage Facility" shall not include those activities set forth in Section 5.01.040 of this Chapter.

(s) "Massage Facility Premises" shall include all lands, structures, places, and also the equipment and appurtenances connected or used therewith in any massage facility, and also any personal property which is either affixed to or is otherwise used in connection with the business conducted on such premises.

(t) "Massage Therapist" means an individual that has fulfilled the requirements for State licensure under C.R.S. § 12-235-108, as may be amended, and has a valid massage therapist license issued by the State of Colorado to engage in the practice of massage therapy. The terms "masseuse" and "masseur" are synonymous with the term "massage therapist." The term "massage therapist" is intended to have the same meaning as defined in C.R.S. § 12-235-104(5), as may be amended.

(u) "Mobile Massage Unit" means a vehicle or other movable enclosure specifically equipped for a massage therapist to provide massage therapy inside the vehicle or enclosure.

(v) "Officer" means a person that is employed by a Massage Facility to manage or oversee the Massage Facility's daily operations or that serves on the corporate board of the Massage Facility.

(w) "Operator" means an individual that is licensed by the licensing authority to operate a massage facility, or after a license is required to legally operate a massage facility, and an individual that is operating a massage facility without a license; except that, for the purpose of determining whether an individual is required to submit to a background check required by this Chapter, "operator" does not include a massage therapist.

(x) "Owner" means an individual other than an operator that holds a legal ownership interest in a massage facility; except that an individual that is not involved in the operation of a massage facility and whose ownership interest consists only of stock in a publicly traded company that owns or operates a massage facility is not an owner.

(y) "Partner" means an individual or entity that has a legal ownership or financial interest in a Massage Facility; except that a person or individual that is not involved in the operation of a massage facility and whose ownership interest consists only of stock in a publicly traded company that owns or operates a massage facility is not an owner.

(z) "Person" means a natural person, partnership, association, company, corporation, organization, or managing agent, officer, director, partner, owner, operator, or employee of any of them.

(aa) "Sexual Act" means sexual contact, sexual intrusion, or sexual penetration as defined in C.R.S. § 18-3-401, as may be amended.

(bb) "Solo Practitioner" means a licensed massage therapist, as defined in this Chapter, performing the practice of massage therapy independently.

(cc) "Table Shower" means an apparatus for the bathing or massaging of a person on a table or in a tub.

5.10.040 – Exemptions from the definition of Massage Facility.

(a) The following activities shall not constitute a "Massage Facility" as defined in this Chapter, and are exempt from this Chapter while practiced in accordance with the laws of the State of Colorado:

(1) Training rooms in public and nonpublic institutions of higher education, as defined in C.R.S. § 23-3.1-102(5), as may be amended;

(2) Training rooms of recognized professional or amateur athletic teams;

(3) Offices, clinics, and other facilities at which medical professionals licensed by the State of Colorado, or any other state, provide Massage services to the public in the ordinary course of their medical profession;

(4) Medical facilities licensed by the State of Colorado;

(5) Barber shops, beauty salons, and other facilities at which barbers and cosmetologists licensed by the State of Colorado provide Massage services to the public in the ordinary course of their professions;

(6) Bona fide athletic clubs that are not engaged in the practice of providing Massage Therapy to members or to the public for remuneration, or an athletic club that does not receive more than ten (10) percent of its gross income providing Massages to the athletic club's members or to the public;

(7) A place of business where a Person offers to perform or performs Massage Therapy for seventy-two (72) hours or less in any six-month period, and as part of a public or charity event, the primary purpose of which is not to provide Massage Therapy; or

(8) A place of business where a licensed Massage Therapist practices as a Solo Practitioner, and:

A. Does not use a business name or assumed name;

B. Uses a business name or assumed name and provides the Massage Therapist's full legal name or license number in each Advertisement, and each time the business name or assumed name appears in writing; and

C. Does not maintain or operate a Table Shower.

(b) The Licensing Authority may verify the exempt status of a business or facility in keeping with the intent of this Chapter.

5.10.050 – Background Checks.

Background Checks as set forth in this Chapter are required as follows:

(a) Operators, Owners, and Employees of Massage Facilities existing on or before October 1, 2025. No later than October 1, 2026, every Operator, Owner or Employee of a Massage Facility in the Town existing on or before October 1, 2026, shall submit to a Background Check as described in this Chapter before, as applicable:

- (1) Being granted a license to operate a Massage Facility;
- (2) Assuming an ownership interest in a Massage Facility that would make the prospective owner an Owner; or
- (3) Commencing employment with a Massage Facility.

(b) Prospective Operators, Owners, and Employees of Massage Facilities. In addition to any existing Background Check requirement set forth in Section 5.01.050(a) above, after October 1, 2026, no person shall become or remain an Operator, Owner, or Employee of a Massage Facility in the Town without first submitting to a Background Check as described in Section 5.01.050.

5.10.060 – Background Check Procedures.

(a) An Applicant for a Background Check shall:

- (1) Complete and file a Background Check request as prescribed by the Licensing Authority;
- (2) Pursuant to C.R.S. §§ 24-33.5-424.5 and 30-15-401.4, as amended, submit to a fingerprint-based criminal history record check performed by a vendor approved by the Colorado Bureau of Investigation to perform fingerprint-based criminal history record checks;
- (3) Pay the costs associated with the fingerprint-based criminal history record check;

- (4) Authorize the entity taking the applicant's fingerprints to submit, and the entity shall submit the complete set of the applicant's fingerprints to the Colorado Bureau of Investigation for the purpose of conducting a fingerprint-based criminal history record check;
 - (5) Comply with the Colorado Bureau of Investigation and Federal Bureau of Investigation's requirements to conduct a fingerprint-based criminal history record check;
 - (6) Authorize the Licensing Authority or its designee to use the information resulting from the criminal history record check to determine whether the Applicant is qualified to hold a license or be an Owner or Employee pursuant to this Chapter;
 - (7) When the results of a fingerprint-based criminal history record check of the Applicant performed pursuant to this Article II reveal a record of arrest without a disposition, submit to a name-based judicial record check, as defined in C.R.S. § 22-2-119.3(6)(d), as may be amended; and
 - (8) Submit any information the Applicant wants considered by the Licensing Authority regarding the criminal history, including without limitation evidence of mitigating factors, rehabilitation, character references, and educational achievements, especially any mitigating factors pertaining to the period between the Applicant's last criminal conviction and the consideration of the Applicant's application for a license or renewal, ownership or prospective ownership of a Massage Facility, operation or prospective operation of a Massage Facility, or employment or prospective employment by a Massage Facility.
- (b) If an approved third-party takes the Applicant's, Owner's or prospective Owner's, Operator's or prospective Operator's, or Employee's or prospective Employee's fingerprints, the fingerprints may be electronically captured using Colorado Bureau of Investigation-approved livescan equipment. Third-party vendors shall not keep the Applicant's, Owner's or prospective Owner's, Operator's or prospective Operator's, or Employee's or prospective Employee's information for more than thirty (30) days after the information is collected.
- (c) The Colorado Bureau of Investigation shall use the applicant's, Owner's or prospective Owner's, Operator's or prospective Operator's, or Employee's or prospective Employee's fingerprints to conduct a criminal history record check using the bureau's records. The Colorado Bureau of Investigation shall also forward the fingerprints to the Federal Bureau of Investigation for the purpose of conducting a state and national fingerprint-based criminal history record check. The Colorado Bureau of Investigation; the Applicant, Owner or prospective Owner, Operator or prospective Operator, or Employee or prospective Employee; the Licensing Authority; and the entity taking fingerprints shall comply with the

Federal Bureau of Investigation's requirements to conduct a fingerprint-based criminal history record check.

(d) The Colorado Bureau of Investigation shall return the results of its criminal history record check to the Town Clerk.

(e) The Town Clerk shall use the information resulting from the criminal history record checks to investigate and determine whether an Applicant is qualified to hold a license or be an Owner, Operator, or Employee pursuant to this Chapter; the Town Clerk shall inform the Licensing Authority whether the Applicant is eligible or ineligible to hold a license or be an Owner, Operator or Employee based on the results of the criminal history record checks. The Criminal History Record Information check and any information submitted pursuant to this Section above shall be reviewed by the Town Clerk, and the Applicant will be notified in writing of any incomplete information. An application will not be considered complete until the results of the Background Check are received by the Town.

(f) Within thirty (30) days of receipt of a complete Background Check application, if the Licensing Authority determines that the Applicant is qualified to hold a license or to be an Owner or Employee pursuant to C.R.S. § 30-15-401.4 and this Chapter, the Applicant and any known current or prospective Massage Facility employer associated with the Applicant will be notified that the Applicant has submitted to the statutorily required Background Check and is not prohibited under State law from employment by a Massage Facility or from being an Operator or Owner of a Massage Facility, as applicable.

(g) Within thirty (30) days of receipt of a Background Check request, if the Licensing Authority determines that the Applicant is not qualified to hold a license or to be an Owner, Operator, or Employee pursuant to C.R.S. § 30-15-401.4 and this Chapter, the Applicant and any known current or prospective Massage Facility employer associated with the Applicant will be notified that the Applicant has submitted to the statutorily required Background Check and is prohibited under State law from employment by a Massage Facility or from being an Operator or Owner of a Massage Facility, as applicable.

(h) The Licensing Authority or the Town Clerk as its designee shall maintain a list with the full name and contact information of all individuals who have completed a Background Check; the business name, address and telephone number of the Massage Facility with whom the individual who completed the Background Check is associated; the date the results of the Background Check were received by the Town; the determination of whether an individual is qualified to be an Owner, Operator, or Employee pursuant to State law; and the date that the individual, and the Owner or Operator, if applicable, were notified of the determination.

(i) The Licensing Authority or the Town Clerk as its designee may report information to the Colorado Department of Regulatory Agencies regarding criminal activity involving a licensed Massage Therapist.

5.10.070 – Prohibitions.

- (a) An Operator or Owner is prohibited from employing, as an Employee, an individual who has not submitted to a required Background Check pursuant to this Chapter.
- (b) An individual is prohibited from being an Operator, Owner, or Employee of a Massage Facility if the individual or any of the individuals required to be listed in the Application:
 - (1) Has not submitted to a required Background Check pursuant to this Chapter at least thirty (30) days before assuming an ownership interest in a Massage Facility that would make the prospective Owner an Owner;
 - (2) Has been convicted of or entered a plea of "nolo contendere" that is accepted by the court for a felony or misdemeanor for prostitution, as described in C.R.S. § 18-7- 201, as may be amended; solicitation of a prostitute, as described in C.R.S. § 18-7-202, as may be amended; a human trafficking related offense, as described in C.R.S. §§ 18-3-503 or 18-3-504, as may be amended; or money laundering, as described in C.R.S. § 18-5-309, as may be amended; or
 - (3) Is registered as a sex offender or is required by law to register as a sex offender, as described in C.R.S. § 16-22-103, as may be amended.

5.10.080 – Licenses Required.

On or after March 1, 2026, no person shall own or operate a Massage Facility in the Town without a valid Massage Facility license issued by the Town, nor shall any property Owner permit the use of their premises to be operated as a Massage Facility without a valid Massage Facility license issued by the Town.

5.10.090 – Licensing Authority; administrative approval authorized.

- (a) The Licensing Authority has authority to receive, review, approve, approve with conditions, or deny applications for a Massage Facility license. The Licensing Authority shall determine whether the application and documents submitted comply with all the requirements of this Chapter. A license shall be issued upon determination by the Licensing Authority, based upon the record, that the application meets the requirements of this Chapter. The Licensing Authority is not authorized to investigate possible or actual criminal activity, including without limitation, human trafficking, prostitution, or Erotic Parlor activity occurring on or near licensed premises or premises proposed for licensure and, instead, shall refer any complaints of or information about any such activity to the appropriate law enforcement agency.
- (b) In the event there is no derogatory information regarding any application or license hereunder, the Town Clerk is hereby authorized to administratively

approve such applications. In the event the Town Clerk's Office identifies any derogatory information for any application or license submitted to the Town, the Town Clerk shall schedule action on the application before the Licensing Authority as provided by this Chapter. To the extent a hearing is required under this Chapter, such a hearing shall be conducted by the Licensing Authority.

5.10.100 – License applications and fees.

(a) An Applicant for a Massage Facility license shall:

(1) Complete and file an application prescribed by the Licensing Authority. Each application for a Massage Facility license shall contain, at a minimum, the following information:

A. If the Applicant is an individual, satisfactory proof that he or she is eighteen (18) years of age or older;

B. If the Applicant is a legal entity, satisfactory proof that each of the individual Owners, Operators, officers, directors, Managers, partners, members, principal Owners, Employees, and/or anyone with a ten (10) percent or more financial interest of such entity are eighteen (18) years or older;

C. Whether the Applicant, or any of the other individuals required to be listed in the application pursuant to this Chapter, have been convicted of, or entered a plea of guilty or "nolo contendere" that is accepted by the court for a felony or misdemeanor for prostitution, as described in C.R.S. § 18-7-201, as may be amended; solicitation of a prostitute, as described in C.R.S. § 18-7-202, as may be amended; a human trafficking-related offense, as described in C.R.S. §§ 18-3-503 or 18-3-504, as may be amended; and money laundering, as described in C.R.S. § 18-5-309, as may be amended. Failure to disclose any such criminal conviction may result in denial of the license application;

D. Whether the Applicant, or any of the other individuals required to be listed in the application pursuant to this Chapter is registered as a sex offender or is required by law to register as a sex offender, as described in C.R.S. § 16-22-103, as may be amended;

E. Whether the Applicant, or any of the other individuals required to be listed in the application pursuant to this Chapter has a pending criminal action that involves or is related to any offense described in subsections (a)(1)(C) or (D) of this Section 5.10.100;

F. Whether the applicant, or any of the other individuals required to be listed in the application pursuant to subsection (a)(1)(B) of this Section 5.10.100 has voluntarily surrendered any

license to practice as a Massage Therapist or operate a Massage Facility as a result of, or while under, civil or criminal investigation, or had a previous license under this or any other similar Massage Facility law or regulation in another jurisdiction or territory of the United States, denied, suspended, or revoked, and if so, the name and location of the Massage Facility for which such license was surrendered, denied, suspended, or revoked, as well as the date of such surrender, denial, suspension, or revocation;

G. Whether the applicant, or any of the other individuals required to be listed in the application pursuant to subsection (a)(1)(B) of this Section 5.10.100 has been an Owner, Operator, officer, director, Manager, partner, member, Controlling Person, Employee, and/or principal Owner of any legal entity which currently operates or previously operated a Massage Facility or business meeting the definition of Massage Facility in this Chapter and the name, dates of operation, and location of such business or businesses;

H. A floor plan sketch for the massage facility premises detailing entrances and exits, treatment rooms, reception areas, waiting areas, restrooms and storage space. The sketch should include dimensions to indicate the size and spatial relationships of the different areas. Photographs of the Massage Facility Premises should also be submitted; and

I. Satisfactory proof of the applicant's ownership or right to possession of the Massage Facility Premises wherein the Massage Facility will be operated. The Applicant shall have a continuing obligation to provide, where applicable, subsequent evidence of the right to possession of the premises.

(2) Submit to a Background Check pursuant to this Chapter and cause all Operators, Owners, and Employees to do the same.

(b) The Licensing Authority may require a reasonable administrative fee, not to exceed the cap on such fees set forth in C.R.S. § 30-15-401(4)(a)(II) to be determined by Town Council by separate Resolution, as may be amended, for issuing or renewing licensure. Such administrative fee shall be reasonably related to the Town's costs in administering this Chapter and shall not be based on the number of Employees. Such administrative fee shall be paid in full and shall accompany the license application.

5.10.110 – Standards for denial.

(a) The Licensing Authority may deny an application for a Massage Facility license if the Licensing Authority finds that:

- (1) Any required administrative fee is not paid;
 - (2) The Town of Parker Land Development Ordinance does not allow for the operation of a Massage Facility at the proposed location;
 - (3) The Applicant or an Owner, prospective Owner, Employee, or prospective Employee has been convicted of, or has entered a plea of guilty or "nolo contendere" that is accepted by the court for a felony or misdemeanor for prostitution, as described in C.R.S. § 18-7-201, as may be amended; solicitation of a prostitute, as described in C.R.S. § 18-7-202, as may be amended; a human trafficking-related offense, as described in C.R.S. §§ 18-3-503 or 18-3-504, as may be amended; money laundering, as described in C.R.S. § 18-5-309, as may be amended;
 - (4) The Applicant or an Owner, prospective Owner, Employee, or prospective Employee is registered as a sex offender or is required by law to register as a sex offender, as described in C.R.S. § 16-22-103, as may be amended;
 - (5) The Applicant or an Owner, prospective Owner, Employee, or prospective Employee has one or more previous revocations or suspensions of a license to operate a Massage Facility;
 - (6) An Employee of the Massage Facility for which the Applicant has filed an application for a license has not submitted to a required Background Check pursuant to this Chapter before commencing employment with the Massage Facility; or
 - (7) The Applicant or an Owner or prospective Owner of the Massage Facility for which the Applicant has filed an application for a license has not submitted to a required Background Check pursuant to this Chapter at least thirty (30) days before, as applicable, being granted a license to operate the Massage Facility or assuming an ownership interest in a Massage Facility that would make the prospective Owner an Owner.
- (b) The Licensing Authority shall have discretion to deny an application or determine that an Owner or prospective Owner, or Employee or prospective Employee, is ineligible to be an Owner or Employee after considering, in accordance with C.R.S. § 24-5-101, as may be amended, an applicant's, Owner's, prospective Owner's, Employee's, or prospective Employee's conviction of, or plea of guilty or nolo contendere that is accepted by the court for felony or misdemeanor fraud, theft, or embezzlement, as described in C.R.S. § 18-4-401, as may be amended.
- (c) In the event that the Licensing Authority takes into consideration information concerning the Applicant's, Owner's, prospective Owner's, Employee's, or prospective Employee's criminal history record in acting on a license application, the Licensing Authority shall also consider any information

provided by the Applicant, Owner or prospective Owner, or Employee or prospective Employee regarding the criminal history, including without limitation evidence of mitigating factors, rehabilitation, character references, and educational achievements, especially the mitigating factors pertaining to the period between the Applicant's, Owner's or prospective Owner's, or Employee's or prospective Employee's last criminal conviction and the consideration of the Applicant's, Owner's or prospective Owner's, or Employee's or prospective Employee's application for a license or renewal, ownership or prospective ownership of a Massage Facility, or employment or prospective employment by a Massage Facility.

5.10.120 – Temporary Licenses.

The Licensing Authority may issue a temporary Massage Facility license upon receipt of a complete Massage Facility license application involving the sale or change in ownership of a business. Such temporary license shall be valid for thirty (30) days, and the Licensing Authority shall renew the temporary license every thirty (30) days until approval or denial of the Massage Facility license.

5.10.130 – Term of License; license renewal.

- (a) The term of a Massage Facility license shall be one (1) calendar year, with the license expiring one (1) year subsequent to issuance.
- (b) Once issued, the license shall not be transferred or assigned.
- (c) Renewal requests for a Massage Facility license must be filed with the Licensing Authority at least forty-five (45) days prior to the expiration date to allow time for review and final action by the Licensing Authority. No renewal application shall be deemed complete until the Applicant has paid the renewal fee as may be established by the Town Council by separate resolution from time to time; provided, however, that such renewal fee shall not exceed the fee established for an initial application.
- (d) The Licensing Authority shall apply the same review standards for renewal of the license as applied to the initial issuance of the license; provided, however, that as part of the renewal process, the Licensing Authority shall consider compliance from prior years, and based upon that review, may add conditions to any future license to correct, abate or limit past problems.

5.10.140 – Transfer of Massage Facility ownership.

Each license shall authorize the operation of such an establishment only at the location described in such license and in conformity with all applicable laws and regulations. No license shall be transferred or assigned to another person or to any other location. Upon the sale or change of ownership of a Massage Facility licensed hereunder, the transferee shall make application for a new license.

5.10.150 – Operating requirements of Massage Facilities.

(a) Required Acts. Every licensed Massage Facility shall be required to comply with the following operating requirements.

(1) List of Employees. Maintain a list of all Employees on site including the start date of employment, full legal name, date of birth, home address, telephone number, and employment position of each Employee;

(2) Government Identification for Licensees, Operators and Employees. Require that all licensees, Operators, and Employees have at least one of the following forms of valid government identification, and immediately present such identification to the Licensing Authority or its designee upon request:

A. A United States military card or military dependent's identification card;

B. A United States Coast Guard Merchant Mariner card;

C. A Native American tribal document;

D. A valid Colorado driver's license or Colorado identification card issued pursuant to C.R.S. Title 42, Article 2, unless the Applicant holds a license or card issued pursuant to C.R.S. Title 42, Article 2, Part 5;

E. A valid driver's license or identification card issued by another state, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States that is compliant with the federal "REAL ID Act," as may be amended;

F. A valid United States passport;

G. A valid United States permanent resident card; or

H. Any other valid type of identification that requires proof of lawful presence in the United States to obtain.

(3) Identification for Licensed Massage Therapists. Require that all licensed Massage Therapists maintain copies of valid Massage Therapy licensure, as required by C.R.S. § 12-235-107, as may be amended, and a form of government identification containing the Massage Therapist's name and address, that both must be immediately presented upon request to the Licensing Authority, the Licensing Authority's designee, or law enforcement;

- (4) Records. Maintain a complete set of records, including a log of all Massage Therapy administered at the facility. The records shall include all accounts, invoices, payroll, and employment records of the Massage Facility. The log shall include the date, time, and type of each Massage Therapy administered, and the name of the Massage Therapist administering the Massage Therapy. The licensee shall retain the records and logbook for a minimum of one (1) year following any Massage Therapy. The records and logbook shall be subject to inspection upon request by the Licensing Authority, the Licensing Authority's designee, and law enforcement, during normal business hours;
- (5) Licensure and Licensure Display. Maintain a valid Massage Facility license prior to and during all periods of operation and conspicuously display the license at all times at the licensed premises;
- (6) Use of Business Name. Operate under or conduct business under only the designation specified in the license;
- (7) Control of Licensed Premises. Licensee shall possess and maintain possession of the Massage Facility Premises for which the license is issued by ownership, lease, rental or other arrangement for possession and use of the Massage Facility Premises;
- (8) Notice of Changes in Materials Facts in Application. An Owner or Operator of a Massage Facility licensed hereunder shall report to the Licensing Authority in writing any change of material fact set forth in the license application;
- (9) Notice of Changes in Financial Interest of Owner(s). An Owner or Operator of a Massage Facility licensed hereunder shall report each transfer or change of financial interest in the license or the license of the Licensing Authority prior to any such transfer or change; and
- (10) Clothing. Ensure that all Operators, Employees and contractors remain Fully Clothed in professional attire while administering Massage or otherwise visible to Clients on business premises, including premises designated by the Client through an outcall Massage service or Mobile Massage Unit. All Operators, Employees and contractors shall wear clothing that covers the pubic area, perineum, buttocks, cleft of the buttocks, and entire chest to four (4) inches below the collar bone and legs not exposed more than six (6) inches above the knees. No transparent clothing shall be permitted.

5.10.160 – Prohibited Acts of Massage Facilities.

It shall be unlawful for any Person in the business of owning or operating a Massage Facility, or any Employee thereof, to:

- (a) Operate a Massage Facility without a valid Massage Facility license, or during a period of suspension, or after license revocation.
- (b) Fail to submit to a Background Check as required by this Chapter.
- (c) Employ a Person who has not submitted to a Background Check as required by this Chapter.
- (d) Allow a Person who does not hold a valid Massage Therapy license pursuant to C.R.S. § 12-235-107, as may be amended, to perform Massage in a Massage Facility.
- (e) Advertise to a prospective Client that services that include prostitution, Sexual Acts, escort services, sexual services, or services related to human trafficking disguised as legitimate services, are available.
- (f) Permit Sexual Acts or sexual services within or near a Massage Facility or in relation to Massage Therapy.
- (g) Deny inspection of a Massage Facility by law enforcement, the Licensing Authority, or the Licensing Authority's designee.
- (h) Refuse, interfere with, or elude immediate identification of Employees of the Massage Facility to law enforcement, the Licensing Authority, or the Licensing Authority's designee.
- (i) Fail to immediately report to law enforcement any act of sexual misconduct occurring in a Massage Facility.
- (j) Allow an Employee or contractor of a Massage Facility to provide Massage Therapy without being Fully Clothed.
- (k) Require Client nudity as part of a Massage without the Client's prior consent.
- (l) Allow a Massage Facility to be open and practice Massage Therapy without a licensed Massage Therapist on the Massage Facility Premises.
- (m) Permit a Person in a Massage Facility to make an agreement with an Employee or contractor to engage in any prostitution related offense in the Massage Facility or any other location.
- (n) Permit a Massage Facility to be used for housing, sheltering, or harboring any person, or as living or sleeping quarters for any person; except that an Owner and the Owner's family members who operate a Massage Facility as a Home Business are exempt from the prohibited activity in this subsection for the private, non-Massage Facility Premises portion of their home.

- (c) Operate an Erotic Parlor on the premises of a Massage Facility.

5.10.170 – Inspections.

- (a) No Owner, Operator, Manager, Massage Therapist, or Employee shall fail to immediately grant full Massage Facility Premises access any time such establishment is open for business by Agents of the Town, including without limitation the Licensing Authority, Building Safety Inspectors, or any of their designees, and law enforcement officials.
- (b) All rooms, cabinets, and storage areas that are part of the Massage Facility Premises shall be subject to inspection, and any locked rooms, cabinets, or storage areas shall be promptly opened for inspection.
- (c) Each Massage Facility shall keep a list of Employees, as required by this Chapter, open to inspection without unreasonable delay. Protected health information may be redacted from the records.
- (d) Each Massage Facility shall keep a complete book of records to include a log of all Massage Therapy administered at the facility, as required by this Chapter, open to inspection without unreasonable delay.
- (e) Inspectors may request to review a State-issued Massage Therapist license for any Massage Therapist at any time during an inspection.
- (f) All Owners, Operators, Managers, Massage Therapists, Employees, contractors, or Persons occupying the facility other than Clients shall present identification when requested during an inspection and shall not elude identification.

5.10.180 – Suspension or revocation of license.

- (a) Basis for Suspension, Revocation or Non-Renewal
 - (1) In addition to any reason in this Chapter, and notwithstanding any provision of this Chapter to the contrary, the Licensing Authority may suspend or revoke a license, and the Licensing Authority may not renew a license, based upon a finding of one or more of the following:
 - A. The licensee has engaged in any prohibited act as set forth in Section 5.10.160 of this Chapter;
 - B. The licensee employs a Person who has not submitted to a Background Check or an Owner of the Massage Facility has not submitted to a Background Check as required by this Chapter;
 - C. The licensee employs a Person who has been convicted of or entered a plea of "nolo contendere" that is accepted by the court for

an offense listed in Section 5.10.110 (a)(3) of this Chapter or is registered as a sex offender or is required by law to register as a sex offender, as described in C.R.S. § 16-22-103, as may be amended; or

D. An Owner of the licensed Massage Facility has been convicted of or entered a plea of "nolo contendere" that is accepted by the court for an offense listed in Section 3.4(a)(3) of this Chapter or is registered as a sex offender or is required by law to register as a sex offender, as described in C.R.S. § 16-22-103, as may be amended.

(2) The Licensing Authority may temporarily suspend a Massage Facility license with a hearing to be scheduled within fifteen (15) days when the Licensing Authority finds:

A. The licensee willfully failed to disclose any information on the application as required;

B. The licensee knowingly permitted a Person who does not hold a valid license pursuant to C.R.S. § 12-235-107, as may be amended, to perform Massage Therapy;

C. A pattern of activity that the Massage Facility is committing human trafficking related offenses as described in C.R.S. §§ 18-3-503 and 18-3-504, as may be amended;

D. The licensee failed to permit an inspection in accordance with Section 5.10.170 of this Chapter any time the facility is open for business; or

E. The licensee has engaged in any prohibited act as set forth in Section 5.10.160 of this Chapter.

(b) A license may be temporarily suspended by the Licensing Authority as set forth in this Section 5.10.180(b) until a hearing can be held by the Licensing Authority. A suspension of a license by the Licensing Authority shall be in writing and shall include notification of the right to and procedure for a hearing before the Licensing Authority. The hearing shall be scheduled within fifteen (15) days of the date of the Licensing Authority order requiring suspension. It shall be unlawful for any Person to operate a Massage Facility until the suspended license can be reinstated. Service of the notice of suspension shall be served upon the license holder by personal delivery to the license holder or by leaving the notice at the place of business of the license holder with a person employed therein and by mailing notice to the license holder as their address appears on the most recent Massage Facility license application to the Town.

(c) The Licensing Authority may act to non-renew a license. Service of the notice of intent to non-renew shall be served upon the license holder by personal delivery to the license holder or by leaving the notice at the place of business of the license holder with a person employed therein and by mailing notice to the license holder as their address appears on the most recent Massage Facility license application to the Town.

(d) Failure of the Applicant to request, in writing, a hearing before the Licensing Authority within ten (10) days of receipt of the notice of non-renewal shall render the Licensing Authority's decision to not renew the license final.

5.10.190 – Violations and enforcement.

(a) Administration and enforcement except as otherwise expressly provided herein, this Chapter shall be administered and enforced by the Special Licensing Authority and delegated to the Town Clerk's Office as set forth above.

(b) Inspections pursuant to Section 5.10.170 shall be conducted by the Town with the assistance as necessary from the Parker Police Department.

5.10.200 – Violations; penalties.

(a) In addition to any administrative action that may be taken by the Licensing Authority hereunder, as applicable, with respect to the suspension, revocation, or non-renewal of a license, violation of this Chapter shall be a civil infraction and, upon conviction, shall be punished by a fine of not more than nine hundred ninety-nine dollars (\$999.00). Each act of violation and every day that any such violation shall occur shall constitute a separate offense.

(b) A Massage Facility that engages in two or more violations of this Ordinance is a public nuisance, as described in C.R.S. § 16-13-303, as may be amended, and Sections 6.01.020 and 6.01.030 of this Code. Action to abate such nuisance may be instituted against the Owner, Operator, lessor, lessee, or owner of the Massage Facility Premises.

(c) The remedies set forth in this Chapter 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.

5.10.210 – Judicial review.

Any Person aggrieved by a final decision of the Licensing Authority may appeal the same to the District Court of Douglas County pursuant to Rule 106(a)(4) of the Colorado Rules of Civil Procedure.

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 7.5(e) 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. Effective Date. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2026.

Joshua Rivero, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this __ day of _____, 2026.

Joshua Rivero, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Lindsay Jordan, Town Attorney



Request for Town Council Action

Date: August 17, 2026

Submitted By: Brett Collins, Projects Administrator

Reviewed By: Michelle Kivela, Town Manager

Title: **ORDINANCE NO. 1.676 - First Reading**
A Bill for an Ordinance Conveying Certain Real Property By Easement to Parker Water and Sanitation District for the Salisbury Regional Park Phase 2 Project
Department: Parks, Recreation and Open Space, Brett Collins
Second Reading: September 8, 2026

EXECUTIVE SUMMARY

For Phase 2 of the new 91-acre Salisbury Regional Park, the Town will need water service. A water and/or sewer main improvement agreement (processed administratively) and a water pipeline easement with Parker Water and Sanitation District (PWSD) are required to secure the service. An ordinance is required to approve the water pipeline easement.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Salisbury Regional Park is centrally located within the community. In 2009, the Town acquired 91 acres of additional land north of the existing Salisbury Sports Complex and Equestrian Center. The land is zoned Public Facilities, which allows for a wide variety of uses, including parks, recreation, and open space. The Phase 1 park currently under construction includes various amenities, including two multi-purpose lighted synthetic turf soccer fields, four lighted natural grass ballfields, a picnic pavilion, restrooms, playground, batting tunnels, parking, landscape, and irrigation, and is anticipated to be complete in late October of 2026.

The site plan for the Phase 2 park was submitted to the Planning Department for review and, depending on the outcome of construction bidding, may include 17 lighted pickleball courts, two tennis courts, an outdoor fitness area, a community hub pavilion, an inclusive playground and splash pad, bike pump tracks and mountain bike skills course, two basketball courts, parking, landscape, and irrigation. The project will need additional water service from PWSD for the irrigation system, splash pad, and restrooms. To get service lines to the irrigation system, splash pad, and restrooms, PWSD requires a water and/or sewer main improvement agreement for the mainline water pipe that serves the park, which is processed administratively. Within the agreement, the Town of Parker (landowner) is required to grant an easement for the water mainline.

Staff recommends that the Town Council approve the water pipeline easement agreement with PWSD.

FINANCIAL IMPACT

The Town will construct the water mainline, and PWSD will provide ongoing maintenance. Funding to construct the water mainline is appropriated in the 2026 Parks, Recreation, and Open Space Fund account number 203-4520-7781. Construction costs will be determined at the time of bidding.

STRATEGIC GOAL(S)



SUPPORT AN
ACTIVE COMMUNITY

ATTACHMENTS

1. Ordinance No. 1.676

RECOMMENDED MOTION

I move to introduce Ordinance No. 1.676 on first reading, as part of the consent agenda, and to schedule second reading for September 8, 2026.

ORDINANCE NO. 1.676, Series of 2026

**TITLE: A BILL FOR AN ORDINANCE CONVEYING CERTAIN REAL
PROPERTY BY EASEMENT TO PARKER WATER AND SANITATION
DISTRICT FOR THE SALISBURY REGIONAL PARK PHASE 2 PROJECT**

WHEREAS, the Town Council of the Town of Parker desires to convey a permanent water pipeline easement to the Parker Water and Sanitation District over a portion of Lot 1, Salisbury North Minor Development Plat, 2nd Amendment;

WHEREAS, the Town Council of the Town of Parker desires to authorize the Mayor to execute the subject Easement Agreement.

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

Section 1. Approval. The Town Council of the Town of Parker hereby approves the Permanent Water Pipeline Easement Agreement by and between the Town of Parker and Parker Water and Sanitation District, granting a permanent easement over a portion of Lot 1, Salisbury North Minor Development Plat, 2nd Amendment, as more particularly described in the Permanent Water Pipeline Easement Agreement attached hereto as **Exhibit 1** and incorporated herein by this reference.

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. Effective Date. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2026.

Joshua Rivero, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2026.

Joshua Rivero, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Lindsay Jordan, Town Attorney

WATER PIPELINE EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is dated this _____, by THE TOWN OF PARKER, COLORADO (hereafter referred to as "Grantor"), having an address at 20120 E. Mainstreet, Parker, Colorado 80138, and THE PARKER WATER AND SANITATION DISTRICT (hereafter referred to as "Grantee"), a Colorado special district and political subdivision, having an address at 13939 Ancestry Drive, Parker, Colorado 80134.

WHEREAS, Grantee desires to install a water pipeline in certain real property owned by Grantor and situate in Douglas County, Colorado, which real property is more particularly described and depicted in **Exhibit A** attached hereto and incorporated herein (the "Easement Property"); and

WHEREAS, Grantor is willing to grant an easement to Grantee in the Easement Property for the aforesaid purposes, subject to the terms and provisions hereof.

NOW, THEREFORE, for good and valuable consideration to Grantor by Grantee, and for the additional consideration of the performance by the parties of the terms and conditions hereof, the receipt and adequacy of which are hereby acknowledged, Grantor does hereby grant to Grantee, and Grantee accepts from Grantor, the following Easement as hereinbelow set forth:

1. Grant of Easement. Grantor does hereby grant and convey to Grantee, its successors, assigns, lessees, licensees and agents, a nonexclusive perpetual easement upon, over, under, across and through the Easement Property for the purpose of Grantee's construction, reconstruction, operation, maintenance and removal of the water pipeline required by Grantee from time to time. Grantee shall have the right of ingress and egress over and across the adjacent lands of Grantor to and from the Easement Property as may be necessary in connection with Grantee's construction, reconstruction, operation, maintenance and removal of the water pipeline.

2. Covenants of Grantee. Grantee hereby represents, covenants and warrants in favor of Grantor and its successors and assigns as follows:

(A) Grantee shall protect the Easement Property and the adjacent lands of Grantor over which Grantee has rights of ingress and egress from damage caused in whole or in part by acts or omissions of Grantee, its employees, agents, contractors, subcontractors, assigns, lessees, licensees and agents. Grantee shall clean, cure and correct any such damage to any elements of the Easement Property or the above-referenced adjacent lands, including, but not limited to, all pavement, curbs, gutters, walks, streets, other utilities, structures and other improvements situate therein or thereon, and shall keep all of such property reasonably clean and clear of equipment, building materials, dirt, debris and similar materials. If Grantee fails to clean, cure or correct such damage within fourteen (14) days after notice thereof from Grantor, then Grantor may do so, at Grantee's expense;

(B) In all activities undertaken on property belonging to Grantor, Grantee and/or its employees, agents, contractors, subcontractors, successors, assigns, lessees and/or licensees shall conduct and construct all work in a good and workmanlike manner; and

(C) Grantee shall not cause or permit to be caused by any of its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees, any hazardous substances, as defined by the Comprehensive Environmental Response Compensation and Liability Act of 1980 ("CERCLA"), pollutants or contaminants, as defined by CERCLA, or hazardous waste, as defined by the Resource Conservation and Recovery Act ("RCRA"), including, but not limited to, asbestos and/or urea formaldehyde, or any pollutants or toxic pollutants, as defined by the Clean Water Act and any amendments thereto, to be dumped, spilled, released, permanently stored, or deposited on, over or beneath the Easement Property. Any hazardous, toxic or flammable substances used by Grantee, its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees in the construction, reconstruction, operation, maintenance or removal of the water pipeline shall be utilized in a lawful manner and in compliance with all federal, state and local requirements relating to protection of health or the environment.

3. Grantor's Right of Relocation. In the event that the construction of any other utilities, roadways, or other improvements upon, over, under or across the Easement Property necessitates the relocation and/or encasement of the water pipeline, then Grantor shall, at its sole cost and expense, timely perform or cause the performance of such relocation and/or encasement of the water pipeline.

4. Indemnification of Grantor by Grantee. Grantee agrees, and hereby does, to the extent permitted by law, indemnify and hold harmless Grantor, any directors, officers employees and agents of Grantor, and any successors or assigns of Grantor, from any costs, expenses, damages, claims or demands incurred or asserted against Grantor as a result of or arising out of the activities of Grantee, its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees in the construction, reconstruction, operation, maintenance or removal of the water pipeline or otherwise relating to the Grantee's use of the Easement Property.

5. Miscellaneous.

(A) Except as otherwise expressly provided for herein, all provisions herein contained, including the benefits, burdens and covenants, are intended to run with the land and shall be binding upon and inure to the benefit of the respective parties, their heirs, successors and assigns.

(B) This Easement constitutes the entire agreement between the parties.

(C) This Easement shall be of no force and effect until the same is duly and validly executed by each of the parties hereto.

[Signatures on following page.]

IN WITNESS WHEREOF, the parties hereto have executed this Easement by their respective duly authorized officers as of the date and year first above set forth.

GRANTOR:

Town of Parker, Colorado

By: _____
Joshua Rivero, Mayor

ATTEST:

By: _____
Chris Vanderpool, Town Clerk

GRANTEE:

Parker Water & Sanitation District,
a Colorado special district and political
subdivision.

By: _____
Ron R. Redd, P.E., District Manager

ATTEST:

By: _____
Lisa Sindall, Engineering Coordinator

APPROVED AS TO FORM:

Town Attorney's Office

EXHIBIT A
LEGAL DESCRIPTION

THAT CERTAIN PORTION OF LOT 1, SALISBURY NORTH MINOR DEVELOPMENT PLAT, 2ND AMENDMENT, IN THE TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, PER PLAT RECORDED JULY 9, 2024 AT RECEPTION NO. 2024028356, IN THE OFFICIAL RECORDS OF SAID COUNTY, LYING WITHIN THE NORTHWEST QUARTER OF SECTION 27 AND THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 66 WEST, 6TH PRINCIPAL MERIDIAN, SAID TOWN, COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 27, WHENCE THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28 BEARS SOUTH 00°21'46" WEST, A DISTANCE OF 2648.99 FEET WITH ALL BEARINGS HEREIN BEING REFERENCED TO SAID EAST LINE;

THENCE SOUTH 19°24'40" EAST, A DISTANCE OF 987.76 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 12°57'32" WEST, A DISTANCE OF 30.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1,012.73 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 12°57'32" WEST;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°20'30", AN ARC LENGTH OF 6.04 FEET;

THENCE NON-TANGENT TO SAID CURVE, SOUTH 12°37'03" WEST, A DISTANCE OF 7.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1,005.73 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 12°37'03" WEST;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°58'21", AN ARC LENGTH OF 17.07 FEET;

THENCE NON-TANGENT TO SAID CURVE, NORTH 11°38'41" EAST, A DISTANCE OF 7.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1,012.73 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 11°38'41" WEST;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 20°36'06", AN ARC LENGTH OF 364.14 FEET;

THENCE NON-TANGENT TO SAID CURVE, SOUTH 12°24'59" EAST, A DISTANCE OF 95.02 FEET;

THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 202.37 FEET;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 5.00 FEET;

THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 20.00 FEET;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 5.00 FEET;

THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 7.23 FEET;

THENCE SOUTH 45°00'00" EAST, A DISTANCE OF 122.31 FEET;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 9.84 FEET;

THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 30.00 FEET;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 22.27 FEET;

THENCE NORTH 45°00'00" WEST, A DISTANCE OF 147.16 FEET;

THENCE NORTH 00°00'00" EAST, A DISTANCE OF 238.75 FEET;

THENCE NORTH 12°24'59" WEST, A DISTANCE OF 93.13 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1,012.73 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 10°39'21" EAST;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°00'30", AN ARC LENGTH OF 141.55 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 180.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 32°30'37", AN ARC LENGTH OF 102.13 FEET;

THENCE TANGENT TO SAID CURVE, SOUTH 38°49'32" WEST, A DISTANCE OF 1.06 FEET;

THENCE NORTH 51°10'28" WEST, A DISTANCE OF 30.00 FEET;

THENCE NORTH 38°49'32" EAST, A DISTANCE OF 1.06 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 210.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 32°30'37", AN ARC LENGTH OF 119.16 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1,042.73 FEET;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05°08'29", AN ARC LENGTH OF 93.57 FEET;

THENCE NORTH 13°31'22" WEST, A DISTANCE OF 7.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1,049.73 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 13°31'22" EAST;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°05'30", AN ARC LENGTH OF 20.00 FEET;

THENCE NON-TANGENT TO SAID CURVE, SOUTH 12°25'52" EAST, A DISTANCE OF 7.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1,042.73 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 12°25'52" EAST;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 25°23'24", AN ARC LENGTH OF 462.08 FEET TO THE **POINT OF BEGINNING**.

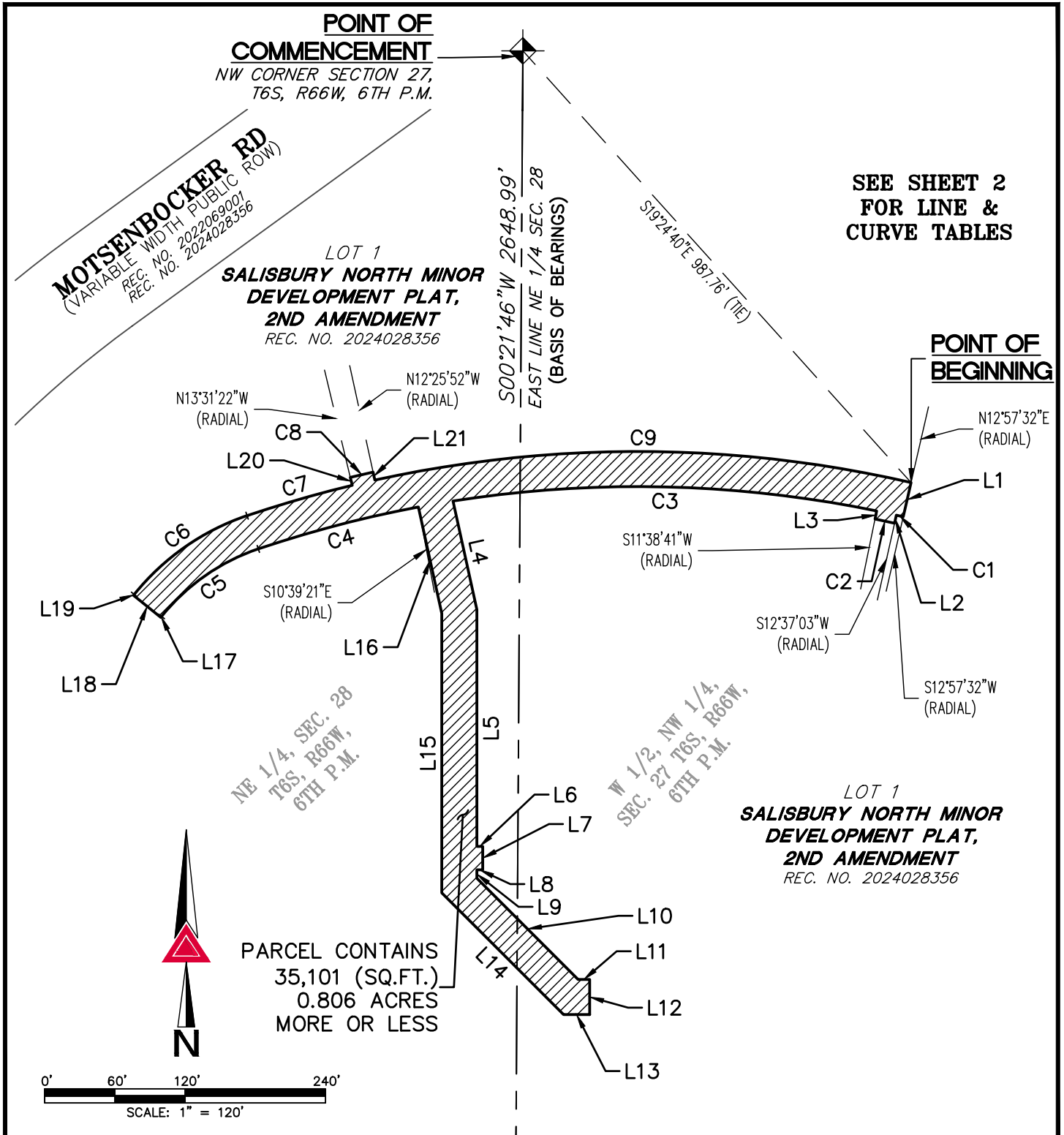
CONTAINING AN AREA OF 0.806 ACRES, (35,101 SQUARE FEET), MORE OR LESS.

ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

KARL D. SZYSZKOSKI, PLS 38691
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122



ILLUSTRATION TO EXHIBIT A



WATER EASEMENT

LOT 1, SALISBURY NORTH MINOR DEVELOPMENT PLAT, 2ND AMENDMENT
TOWN OF PARKER, DOUGLAS COUNTY, COLORADO

PATH: Q:\24925-03 - SALISBURY NORTH EASEMENTS\DWG\EXHIBITS\SALISBURY NORTH WATER ESMT.DWG
JOB NUMBER: 24925-03 DATE: 2026/08/03 DWG: BMB CHK: KDS 1 OF 2 SHEETS

ILLUSTRATION TO EXHIBIT A

LINE TABLE		
LINE	BEARING	LENGTH
L1	S12°57'32"W	30.00'
L2	S12°37'03"W	7.00'
L3	N11°38'41"E	7.00'
L4	S12°24'59"E	95.02'
L5	S00°00'00"E	202.37'
L6	N90°00'00"E	5.00'
L7	S00°00'00"E	20.00'
L8	N90°00'00"W	5.00'
L9	S00°00'00"E	7.23'
L10	S45°00'00"E	122.31'
L11	N90°00'00"E	9.84'
L12	S00°00'00"E	30.00'
L13	N90°00'00"W	22.27'
L14	N45°00'00"W	147.16'
L15	N00°00'00"E	238.75'
L16	N12°24'59"W	93.13'
L17	S38°49'32"W	1.06'
L18	N51°10'28"W	30.00'
L19	N38°49'32"E	1.06'
L20	N13°31'22"W	7.00'
L21	S12°25'52"E	7.00'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	0°20'30"	1012.73'	6.04'
C2	0°58'21"	1005.73'	17.07'
C3	20°36'06"	1012.73'	364.14'
C4	8°00'30"	1012.73'	141.55'
C5	32°30'37"	180.00'	102.13'
C6	32°30'37"	210.00'	119.16'
C7	5°08'29"	1042.73'	93.57'
C8	1°05'30"	1049.73'	20.00'
C9	25°23'24"	1042.73'	462.08'

**SEE SHEET 1
FOR EXHIBIT**

NOTE: THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



Request for Town Council Action

Date: August 17, 2026

Submitted By: Lindsay Jordan, Deputy Town Attorney

Reviewed By: Michelle Kivela, Town Manager

Title: **ORDINANCE NO. 3.375.1 - Second Reading**
A Bill For an Ordinance Affirming the Passage of Emergency
Ordinance No. 3.375, Series of 2026, a Bill for an Emergency Ordinance
to Impose a Temporary Suspension for Nine (9) Months in Duration on
the Acceptance and Processing of Any Application for Any Land Use
Approval or Building Permit for the Development or Construction of
Drone Dispatch and Delivery Facilities or Related Use Within the
Corporate Limits of the Town of Parker
Department: Town Attorney, Lindsay Jordan

EXECUTIVE SUMMARY

The proposed ordinance affirms the emergency ordinance passed on July 20, 2026, establishing a temporary nine (9) month suspension on applications for commercial drone dispatch and delivery facilities. The Town's Home Rule Chapter only allows emergency ordinances for a ninety (90) day period, unless Town Council passes a subsequent ordinance affirming a time period longer than ninety (90) days.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Section 7.6, of the Town of Parker Home Rule Charter, provides that Town Council may pass an emergency ordinance when it declares such action is necessary and proper to provide for the safety, preserve the health, promote prosperity, and improve the order, comfort and convenience of the town and the residents. On July 20, 2026, Town Council of the Town of Parker passed Ordinance No. 3.375, Series of 2026, as an emergency ordinance. Specifically, Town Council passed a Bill for an Emergency Ordinance to Impose a Temporary Suspension for Nine (9) Months in Duration on the Acceptance and Processing of any Application for Any Land Use Approval or Building Permit for the Development or Construction of Drone Dispatch and Delivery Facilities or Related Use within the Corporate Limits of the Town of Parker.

Ordinance 3.375 temporarily suspends the Town's acceptance and processing of applications seeking land use approval or building permits for the construction of drone delivery facilities or related uses because currently the Land Development Ordinance (LDO) does not specifically address such operations and facilities. Commercial drone dispatch and delivery facilities present unique land use considerations that differ from traditional commercial and industrial

development. Without the proper regulations in place, these types of uses may have negative impacts on the community related to noise, privacy, safety, and infrastructure.

In support of passage, Town Council determined that the emergency ordinance was necessary for the immediate preservation of public peace and health and safety because it allows the Town to immediately address the impact of drone dispatch and delivery facilities to the Town.

Allowing the temporary suspension, provides the Town with adequate time to properly evaluate applicable federal and state regulations, industry trends, operational characteristics, and best practices from other jurisdictions to develop a comprehensive regulatory framework. The Town can balance innovation and economic development with public health, safety, welfare, and compatibility with surrounding land use. Due to the complexity of the use and the evolving nature of technology, Town Council granted staff nine (9) months to complete their efforts.

As stated in Section 7.6 of the Charter, all emergency ordinances "shall not be in effect longer than ninety (90) days after passage unless the Town Council by subsequent ordinance affirms the emergency ordinance for a period longer than ninety (90) days." Because the temporary suspension is for nine (9) months, in compliance with the Charter, staff now proposes an ordinance affirming the extended time period.

FINANCIAL IMPACT

The Town will not incur additional financial impact. However, as stated when Ordinance 3.375 was presented, the process needed to properly evaluate and create appropriate regulations will require assistance from a consultant. It is anticipated this will result in \$40,000 to \$50,000 of legal fees. As previously stated, this is not currently budgeted and will likely come out of contingency in the Interdepartmental Budget.

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY



ENHANCE ECONOMIC
VITALITY



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH

ATTACHMENTS

1. Ordinance No. 3.375.1

RECOMMENDED MOTION

I move to approve Ordinance No. 3.375.1 on second reading.

ORDINANCE NO. 3.375.1 , Series of 2026

TITLE: A BILL FOR AN ORDINANCE AFFIRMING THE PASSAGE OF EMERGENCY ORDINANCE NO. 3.375, SERIES OF 2026, A BILL FOR AN EMERGENCY ORDINANCE TO IMPOSE A TEMPORARY SUSPENSION FOR NINE (9) MONTHS IN DURATION ON THE ACCEPTANCE AND PROCESSING OF ANY APPLICATION FOR ANY LAND USE APPROVAL OR BUILDING PERMIT FOR THE DEVELOPMENT OR CONSTRUCTION OF DRONE DISPATCH AND DELIVERY FACILITIES OR RELATED USE WITHIN THE CORPORATE LIMITS OF THE TOWN OF PARKER

WHEREAS, the Town Council of the Town of Parker, unanimously passed Ordinance No. 3.375, Series of 2026, on July 20, 2026, A Bill for an Emergency Ordinance to Impose a Temporary Suspension for Nine (9) Months in Duration on the Acceptance and Processing of any Application for any Land Use Approval or Building Permit for the Development of Construction of Drone Dispatch and Delivery Facilities or Related Use Within the Corporate Limits of the Town of Parker;

WHEREAS, Section 7.6 of the Town of Parker Home Rule Charter requires that emergency ordinances “shall not be in effect longer than ninety (90) days after passage, unless the Council by subsequent ordinance shall affirm the same”;

WHEREAS, the Town Council of the Town of Parker, in accordance with Section 7.6 of the Town of Parker Home Rule Charter, desires to affirm the passage of Ordinance No. 3.375, Series of 2026, to ensure the temporary suspension remains in full force and effect for nine (9) months.

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

Section 1. Affirmation. The Town Council of the Town of Parker hereby affirms the passage of Ordinance No. 3.375, Series of 2026, attached hereto as **Exhibit A**, and incorporated by reference, and confirms that the emergency ordinance shall remain in full force and effect in accordance with its terms and Section 7.6 of the Town of Parker Home Rule Charter

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. Effective Date. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2026.

Joshua Rivero, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2026.

Joshua Rivero, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Lindsay Jordan, Town Attorney

ORDINANCE NO. 3.375, Series of 2026

TITLE: A BILL FOR AN EMERGENCY ORDINANCE TO IMPOSE A TEMPORARY SUSPENSION FOR NINE (9) MONTHS IN DURATION ON THE ACCEPTANCE AND PROCESSING OF ANY APPLICATION FOR ANY LAND USE APPROVAL OR BUILDING PERMIT FOR THE DEVELOPMENT OR CONSTRUCTION OF DRONE DISPATCH AND DELIVERY FACILITIES OR RELATED USE WITHIN THE CORPORATE LIMITS OF THE TOWN OF PARKER

WHEREAS, on May 2024, the Town Council of the Town of Parker adopted Ordinance No. 3.372, which repealed the former Title 13 of the Parker Municipal Code and enacted a new Title 13, and subsequent amendments (the “Land Development Ordinance” or “LDO”);

WHEREAS, the Town has implemented the new LDO and technology advances, new land uses have emerged that were not previously contemplated by the LDO;

WHEREAS, the new land use of commercial use of unmanned aerial vehicles, more commonly referred to as “drones” is emerging throughout the country;

WHEREAS, as technology quickly advances in today’s society, governments of all levels - federal, state and local - are trying to catch up with appropriate regulations that balance innovation, economic development opportunities, public safety and neighborhood compatibility;

WHEREAS, the Town has received an inquiry for a drone dispatch and delivery center within the boundaries of the Town;

WHEREAS, the current version of the LDO lacks clear definitions, use classifications, development standards and review procedures for commercial drone delivery operations, drone dispatch facilities, drone ports, launch and landing infrastructure, or associated support facilities;

WHEREAS, given the level of anticipated interest in the use of drones for economic advancement, the Town Council desires to evaluate and address the impact of commercial drone dispatch and delivery use within the Town’s limits;

WHEREAS, to properly evaluate this evolving use of drones, the Town desires to create clear definitions and classification for commercial drone-related delivery facilities and operations, this includes evaluating distinctions between principal uses and accessory uses, launching and landing areas, dispatch centers and other supporting facilities;

WHEREAS, to properly evaluate this evolving use of drones, the Town desires to create regulatory framework clearly identifying the boundaries between local land use authority and federal regulations governing drone operations;

WHEREAS, to properly evaluate this evolving use of drones, the Town desires to obtain a comprehensive understanding of current and emerging drone delivery technologies, operational models, facility characteristics, and anticipated industry trends, to include an understanding of

operational intensity, launch and landing frequency, maintenance activities, staffing requirements, charging infrastructure, and support functions;

WHEREAS, to properly evaluate this evolving use of drones, the Town desires to address potential impacts associated with drone-related facilities and maintain compatibility with surrounding land use, through evaluating noise, privacy, visual impacts, safety, security, and other potential impacts, either negative or positive, on residential neighborhoods, schools, parks, open space areas, interactions with first responder services, and zoning districts;

WHEREAS, to properly evaluate this evolving use of drones, the Town desires to develop standards and regulations to address site planning, circulation, buffering and screening, landscaping, lighting, security of the sites, public safety, and operational infrastructure;

WHEREAS, to properly evaluate this evolving use of drones, the Town desires to create operational standards addressing hours of operation, operation intensity, complaint resolution procedures, and other considerations necessary to protect public health, safety and welfare;

WHEREAS, significant staff time from the Town's Department of Community Development, with the assistance from an outside consultant, is necessary to study, plan and develop, in conjunction with the Town Attorney's Office, Town standards and regulations, to be codified in the Land Development Ordinance;

WHEREAS, it is one of the Town Council's highest priorities to complete and establish proper land use classification and definitions, regulatory framework and authority, community compatibility and impacts, site design and development standards, and operational standards, by April 20, 2027;

WHEREAS, the Town Council, in order to meet this priority, will suspend the Town's acceptance and processing of land use and building permit applications for the development and/or construction of commercial drone delivery and dispatch facilities within the Town of Parker;

WHEREAS, a temporary suspension to April 20, 2027, as provided herein, is a reasonable length of time for the Town to properly develop and, if appropriate, adopt and implement any amendments to the Land Development Ordinance as described herein; and

WHEREAS, the Town Council finds and determines such legislation is immediately necessary for the reasons contained within these Recitals.

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

Section 1. Application Suspension. The Town Council of the Town of Parker hereby suspends the acceptance and processing of all land use and building permit applications for the development and/or construction of drone dispatch and delivery facilities within the Town from the effective date of this Ordinance until April 20, 2027.

Section 2. Priority Determination. The Town Council hereby determines that it is one of the highest priorities of the Town's Community Development Department to study, plan and recommend changes to the Land Development Ordinance to address advances in technology, such as drone dispatch and delivery facilities.

Section 3. Police Power Finding. The Town Council hereby finds, determines and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote prosperity, and improve the order, comfort and convenience of the Town and the inhabitants thereof.

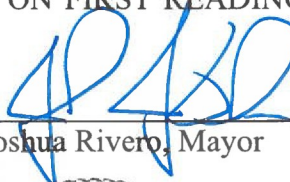
Section 4. Emergency Declared. Pursuant to Section 7.6 of the Charter, the Town Council hereby finds, determines and declares that passage of this Ordinance is necessary for the immediate preservation of public peace, health and safety, in order to immediately address the impact of drone dispatch and delivery facilities to the Town for the reasons specified in this Ordinance.

Section 5. 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 objectives 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 6. 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 7. Effective Date. This Ordinance shall become effective immediately upon adoption.

INTRODUCED, ADOPTED, AND PASSED ON FIRST READING this 20th day of July, 2026.



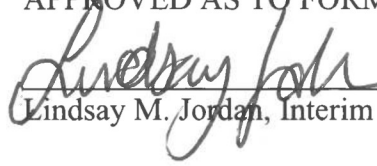
Joshua Rivero, Mayor

ATTEST:


Chris Vanderpool, Town Clerk



APPROVED AS TO FORM:


Lindsay M. Jordan, Interim Town Attorney