

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1888
Series of 2017

1734
Series of 2017

A BILL FOR AN ORDINANCE AMENDING CHAPTER 7, AMENDING CHAPTER 9 BY THE ADDITION OF A NEW ARTICLE 17, AND AMENDING CHAPTER 14 BY THE ADDITION OF A NEW ARTICLE 5 OF THE NORTHGLENN MUNICIPAL CODE RELATED TO NUISANCE ABATEMENT PROCEDURES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Article 2 of Chapter 7 of the Northglenn Municipal Code is hereby amended by the addition of the new Section 7-2-4.5 to read as follows:

SECTION 7-2-4.5. USE OF PARKING LOTS.

NO PARKING AREA SHALL BE USED FOR THE SALE, STORAGE, REPAIR, DISMANTLING, OR SERVICING OF ANY VEHICLES, EQUIPMENT, MATERIALS, OR SUPPLIES.

Section 2. Article 2 of Chapter 7 of the Northglenn Municipal Code is hereby amended by the addition of the new Section 7-2-8.5 to read as follows:

SECTION. 7-2-8.5. PARKING OF CERTAIN EQUIPMENT.

(a) NO TOW TRUCK, WRECKER, DUMP TRUCK, FLAT BED TRUCK, STAKE BED TRUCK, TRUCK-TRACTOR, SPECIAL MOBILE EQUIPMENT, CONSTRUCTION EQUIPMENT, CONSTRUCTION MACHINERY, OR ANY OTHER FORM OF SPECIAL PURPOSE VEHICLE OR EQUIPMENT MAY BE PARKED ON ANY STREET OR STREET RIGHT-OF-WAY IN ANY ZONE DISTRICT FOR ANY PERIOD OF TIME, UNLESS IT IS BEING USED AT THE LOCATION WHERE PARKED FOR THE SPECIALIZED PURPOSE FOR WHICH THE VEHICLE OR EQUIPMENT WAS DESIGNED. VEHICLES AND EQUIPMENT DESIGNED FOR THE TRANSPORT OF ANY GOODS, MATERIALS, VEHICLES OR EQUIPMENT MAY ONLY BE PARKED ON A PUBLIC STREET OR STREET RIGHT-OF-WAY WHEN ENGAGED IN PICK-UP OR DELIVERY OF GOODS, MATERIAL, VEHICLES OR EQUIPMENT. IT SHALL BE UNLAWFUL FOR ANY PERSON TO RELOCATE OR OTHERWISE MOVE A TOW TRUCK, WRECKER, DUMP TRUCK, FLAT BED TRUCK, STAKE BED TRUCK, TRUCK-TRACTOR, SPECIAL MOBILE EQUIPMENT, CONSTRUCTION EQUIPMENT, CONSTRUCTION MACHINERY, OR ANY OTHER FORM OF SPECIAL PURPOSE VEHICLE OR EQUIPMENT TO A NEW LOCATION FROM THE TOW TRUCK, WRECKER, DUMP TRUCK, FLAT BED TRUCK,

STAKE BED TRUCK, TRUCK-TRACTOR, SPECIAL MOBILE EQUIPMENT, CONSTRUCTION EQUIPMENT, CONSTRUCTION MACHINERY, OR ANY OTHER FORM OF SPECIAL PURPOSE VEHICLE OR EQUIPMENT'S ORIGINAL PARKED LOCATION IN AN ATTEMPT TO CIRCUMVENT OR EVADE THE PROVISIONS OF THIS SECTION.

(b) THE RESTRICTIONS OF SUBSECTION (A) ABOVE SHALL NOT APPLY IN THE CASE OF ANY BOAT WITH TRAILER, TRAILER, SPECIALIZED TRAILER, TRAVEL TRAILER OR CAMPING TRAILER TEMPORARILY BROUGHT INTO THE CITY BY A NON-RESIDENT THEREOF DURING THE FIRST FOURTEEN (14) DAYS SUCH VEHICLE IS IN THE CITY, PROVIDED THAT IT IS NOT DETACHED, AND IS SO LOCATED AND SECURED AGAINST MOVEMENT AS TO POSE NO THREAT TO PUBLIC SAFETY, AND PROVIDED THAT THIS EXEMPTION SHALL NOT PERMIT THE PARKING OR STORAGE OF SAID VEHICLES IN ANY STREET OR OTHER PUBLIC PROPERTY OR PUBLIC RIGHT-OF-WAY, OR ON PRIVATE PREMISES IN VIOLATION OF SECTION 9-11-28.5.

(c) NO TOW TRUCK, WRECKER, MOBILE HOME, SPECIAL MOBILE EQUIPMENT, CHURCH BUS OR SCHOOL BUS SHALL BE STORED OR PARKED ON ANY PRIVATE PROPERTY.

(d) NO UNENCLOSED COMMERCIAL TRAILER, EVEN IF COVERED OR OTHERWISE ENCLOSED, SHALL BE STORED OR PARKED, EXCEPT WHILE MAKING DELIVERIES OR OTHERWISE LOADING OR UNLOADING. WHEN NOT BEING LOADED OR UNLOADED, ANY UNENCLOSED COMMERCIAL TRAILER(S) SHALL BE STORED IN A GARAGE OR BEHIND AN OPAQUE FENCE NOT LESS THAN SIX (6) FEET IN HEIGHT SO AS NOT TO BE VISIBLE FROM ANY OTHER PUBLIC OR PRIVATE PROPERTY.

Section 3. Section 7-2-6 of the Northglenn Municipal Code is hereby amended to read as follows:

Violations of the provisions of Sections 7-2-3, 7-2-4, 7-2-4.5, ~~or~~ 7-2-8 OR 7-2-8.5 of this article shall be punishable by a fine of not more than three hundred dollars (\$300.00).

Section 4. Section 7-3-4(a)(4) of the Northglenn Municipal Code is hereby amended to read as follows:

(4) For the purpose of this section, any motor vehicle left unattended on private or public property for a period of seven (7) days or longer, AND IS EITHER 1) DOES NOT BEAR A VALID, UNEXPIRED LICENSE PLATE; OR 2) IS WRECKED, DAMAGED, SUBSTANTIALLY DISMANTLED OR OTHERWISE INOPERABLE. ~~and is a "junk car" as defined by Section 11-46-1 of the Northglenn Municipal Code.~~

Section 5. Section 7-3-5(a) of the Northglenn Municipal Code is hereby amended to read as follows:

(a) No person shall abandon any motor vehicle upon public property or upon private property ~~other than his own without the consent of the owner thereof~~, in the City of Northglenn.

(1) ~~Any motor vehicle left on private property for seventy-two (72) hours or more without the property owner's consent shall be presumed to be abandoned.~~ In the event a motor vehicle is abandoned on private property, the owner or lessee of such property or his legally authorized agent may have it removed from his property by having it towed and impounded by a tow operator.

(2) IF THE OWNER OF PRIVATE PROPERTY DOES NOT REMOVE THE ABANDONED VEHICLE, THE OFFICER, WHO HAS PROBABLE CAUSE TO BELIEVE A VIOLATION OF THIS ARTICLE EXISTS, MAY ISSUE A NOTICE OF VIOLATION PURSUANT TO ARTICLE 9-11 OF THIS CODE. THE NOTICE MAY BE ISSUED TO THE OWNER OF THE VEHICLE; ANY PERSON IN CHARGE OR CONTROL OF THE VEHICLE; OR THE PROPERTY OWNER OR OCCUPANT. IF, AFTER THE TIME LIMIT SET FORTH IN THE NOTICE OF VIOLATION THE ABANDONED VEHICLE HAS NOT BEEN REMOVED FROM THE PROPERTY, THE OFFICER MAY FOLLOW THE ABATEMENT PROCEDURES IN ARTICLE 9-11. UPON A FAILURE OF THE OWNER TO COMPLY WITH THE NOTICE, THE OFFICER MAY REMOVE AND IMPOUND THE VEHICLE.

(3) THE PROVISION OF SUBSECTION (2) ABOVE SHALL NOT BE APPLICABLE IF THE STORAGE OF THE VEHICLE IS IN COMPLIANCE WITH THE NORTHGLENN ZONING ORDINANCE. FURTHER, SUBSECTION (2) SHALL ALSO NOT APPLY IF THE ABANDONED VEHICLE IS KEPT INSIDE A COMPLETELY ENCLOSED BUILDING OR IS SCREENED BY AN OPAQUE FENCE, WHICH FENCE MAY NOT BE LESS THAN SIX (6) FEET NOR MORE EIGHT (8) FEET IN HEIGHT SO AS NOT TO BE VISIBLE FROM ANY ADJACENT STREET OR PUBLIC WAY, OR FROM ABUTTING LAND AND IF PARKED ON A HARD SURFACE. HOWEVER, NO MORE THAN THREE (3) VEHICLES MAY BEEN LOCATED ON A SINGLE PROPERTY PURSUANT TO THIS SUBSECTION.

(4) Any motor vehicle left within any portion of a highway, within the Northglenn city limits for a period of twenty-four (24) hours shall be presumed abandoned, unless the owner, operator has conspicuously affixed thereto a dated notice indicating his intention to return or has otherwise notified the Department of his intention to move the vehicle within a reasonable time period not to exceed thirty-six (36) hours from the time of discovery by the Department. Any such motor vehicle shall immediately be presumed abandoned if it is parked in such a manner or under such conditions as to interfere with the free movement of vehicular traffic or proper street or highway maintenance. Any vehicle left on any street for seventy-two (72) hours or more shall be presumed abandoned.

Section 6. Section 7-3-6(a) of the Northglenn Municipal Code is hereby amended to read as follows:

(a) Any officer who finds a vehicle standing upon any portion of a highway right-of-way, or upon private property without the consent of the owner, in violation of any of the provisions of this article and who has reasonable grounds to believe the vehicle has been abandoned, MAY

~~shall~~ require such motor vehicle to be removed or cause the same to be removed and placed in the police car pound. THE OFFICER MAY DETERMINE THAT REMOVAL IS NOT APPROPRIATE UNDER THE CIRCUMSTANCES AND MAY ISSUE A PARKING CITATION TO THE OWNER OF THE VEHICLE OR IF THE ABANDONED VEHICLE IS ON PRIVATE PROPERTY, ISSUE A PARKING CITATION TO THE OWNER OF THE VEHICLE OR THE OWNER OF THE PROPERTY.

Section 7. Section 7-3-11 of the Northglenn Municipal Code is hereby amended to read as follows:

Section 7-3-11. REGISTRATION.

NO BOAT WITH OR WITHOUT TRAILER, SPECIALIZED TRAILER, TRAVEL TRAILER OR CAMPING TRAILER, DETACHED CAMPER, JET SKI, SNOWMOBILE, MOTORCYCLE, MOTOR CART, OR OTHER VEHICLE NOT LICENSED BY THE STATE OF COLORADO FOR OPERATION ON THE HIGHWAYS, SHALL BE PARKED OR STORED ON ANY PUBLIC STREET OR PUBLIC RIGHT-OF-WAY, AND THE VARIANCE PROVISIONS OF SECTION 11-7-7 SHALL NOT APPLY HERETO.

Section 8. Section 7-3-14 of the Northglenn Municipal Code is hereby amended to read as follows:

Section 7-3-14. Deposit of Snow and Ice in Public Roadway.

IN COMMERCIAL ZONES C-O, C-1, C-2, C-3, C-4 AND C-5, AND IN INDUSTRIAL ZONES I-1 AND I-2 IN THE CITY, IT SHALL BE UNLAWFUL TO REMOVE ANY SNOW AND ICE FROM ANY PARKING LOT, PUBLIC SIDEWALK, PRIVATE WALK, PRIVATE ROAD OR PRIVATE DRIVEWAY, AND DEPOSIT OR DUMP THE SAME UPON OR INTO A PUBLIC STREET, ROAD, OR HIGHWAY.

Section 9. Section 7-5-4(c) of the Northglenn Municipal Code is hereby amended to read as follows:

(c) Notwithstanding any other provision of this article, no vehicle or combination of vehicles shall be moved or operated, or be permitted to be moved or operated, on any street, bridge, or highway within this municipality when the gross weight thereof exceeds any posted weight limit for such street, bridge, or highway. SUCH VEHICLES SHALL NOT BE STORED OR PARKED ON ANY PUBLIC OR PRIVATE PROPERTY EXCEPT WHILE MAKING NORMAL DELIVERIES.

Section 10. Section 7-5-2 of the Northglenn Municipal Code is hereby amended by the addition of a new subsection (g):

(g) IT SHALL BE UNLAWFUL FOR ANY PERSON TO PARK OR ALLOW TO BE PARKED:

(1) A TRUCK EXCEEDING TEN THOUSAND (10,000) POUNDS EMPTY WEIGHT OR TWENTY-TWO (22) FEET IN LENGTH, AN AUTOMOBILE TRAILER AND/OR BOAT TRAILER NOT ATTACHED TO A LICENSED VEHICLES, A TRUCK-TRACTOR OR SEMITRAILER, OR A DISABLED OR INOPERATIVE VEHICLE FOR A PERIOD OF TIME LONGER THAN TWO (2) HOURS DURING ANY GIVEN WEEK ON A PUBLIC RIGHT-OF-WAY ADJACENT TO ANY PROPERTY WHICH HAS BEEN DESIGNATED AS A RESIDENTIAL ZONE DISTRICT OR WHICH CONTAINS A SINGLE-UNIT OR MULTIPLE-UNIT DWELLING; EXCEPT WHERE SUCH VEHICLES ARE ENGAGED IN RENDERING SERVICES IN THE IMMEDIATE AREA, OR WHERE SUCH VEHICLES ARE PARKED ADJACENT TO A LOT ON WHICH IS LOCATED A MOTEL OR HOTEL BEING USED BY THE OPERATOR OF SUCH A VEHICLE.

(2) A TRUCK CONTAINING AN ATTACHED CAMPER WITH A COMBINED OVERALL LENGTH EXCEEDING TWENTY-TWO (22) FEET, A RECREATION VEHICLE EXCEEDING TWENTY TWO (22) FEET IN LENGTH, OR AN AUTOMOBILE TRAILER AND/OR BOAT TRAILER ATTACHED TO A LICENSED VEHICLE, FOR A PERIOD OF TIME LONGER THAN FORTY-EIGHT (48) HOURS DURING ANY GIVEN WEEK ON A PUBLIC RIGHT-OF-WAY ADJACENT TO ANY PROPERTY WHICH HAS BEEN DESIGNATED AS A RESIDENTIAL ZONE DISTRICT OR WHICH CONTAINS A SINGLE-UNIT OR MULTIPLE-UNIT DWELLING; EXCEPT WHERE SUCH VEHICLES ARE ENGAGED IN RENDERING SERVICES IN THE IMMEDIATE AREA, OR WHERE SUCH VEHICLES ARE PARKED ADJACENT TO A ZONE LOT ON WHICH IS LOCATED A MOTEL OR HOTEL BEING USED BY THE OPERATOR OF SUCH VEHICLE.

(3) IT SHALL BE UNLAWFUL FOR ANY PERSON TO RELOCATE OR OTHERWISE MOVE A VEHICLE DESCRIBED IN SUBSECTIONS (1) AND (2) ABOVE TO A NEW LOCATION FROM THE VEHICLE'S ORIGINAL PARKED LOCATION IN AN ATTEMPT TO CIRCUMVENT OR EVADE THE PROVISIONS OF THIS SECTION.

Section 11. Section 9-2-7 of the Northglenn Municipal Code shall be repealed in its entirety.

Section 9-2-7. RESERVED.

Section 12. Section 9-4-10 of the Northglenn Municipal Code shall be repealed in its entirety.

Section 9-4-10. RESERVED.

Section 13. Article 9-7 of the Northglenn Municipal Code is hereby repealed in its entirety.

Article 9-7. RESERVED.

Section 14. Section 9-11-14 of the Northglenn Municipal Code is hereby amended to read as follows:

(a) It is unlawful and deemed a nuisance for a person to deposit, throw, or place any litter on any ~~public or~~ private property or in any water, or for the owner or occupant of any property to allow litter to remain on property owned or occupied by them unless:

(1) Such property is an area designated by law, ordinance or regulation for the disposal of such material and such person is authorized by the proper public authority to so use such property; or

(2) The litter is placed in a receptacle or container installed on such property for such purpose.

(b) NO JUNK OR LITTER SHALL BE STORED, KEPT, DISCARDED, PLACED OR ALLOWED TO REMAIN OUTSIDE OF TOTALLY ENCLOSED STRUCTURES EXCEPT IN COVERED TRASH CONTAINERS PLACED OUT FOR PICKUP NO EARLIER THAN 5:00 P.M. THE DAY BEFORE THE NEXT SCHEDULED PICKUP BY CITY OR COMMERCIAL TRASH REMOVAL SERVICES. THIS SECTION 9-11-14(B) SHALL NOT BE INTERPRETED TO PREVENT THE STORING OF CONSTRUCTION, BUILDING OR LANDSCAPE MATERIALS ON ANY SITE DURING SUCH TIME CONSTRUCTION OR SITE IMPROVEMENT PROJECTS ARE UNDERWAY ON THAT SITE, OR IN ANY ZONE DISTRICT WHERE OUTDOOR STORAGE IS ALLOWED AS A USE BY RIGHT. NOR SHALL THIS SECTION BE INTERPRETED TO PREVENT THE STORAGE OF FIREWOOD BEHIND THE FRONT BUILDING LINE, FOR USE ON THE SITE IN ANY ZONE DISTRICT SO LONG AS IT IS CUT AND NEATLY STACKED.

Section 15. Section 9-11-15 of the Northglenn Municipal Code is hereby amended by revisions to the section title, the revisions to subsection (e) and the addition of new subsection (h) as follows:

Section 9-11-15. Littering of Public Streets, Highways, Alleys, Buildings, STREAMS, AND WATER ~~and Grounds~~

(e) ~~It is unlawful and deemed a nuisance for any person, except an authorized public employee or officer, or a person who has first obtained a permit to do so from the City of Northglenn, to post or place any poster, sign or announcement in or upon any street, alley, sidewalk or public grounds in the City of Northglenn.~~ IT IS UNLAWFUL TO THROW OR DEPOSIT, OR CAUSE OR PERMIT TO BE THROWN OR DEPOSITED, ANY LITTER, OFFAL COMPOSED OF ANIMAL OR VEGETABLE SUBSTANCE OR BOTH, ANY DEAD ANIMAL, EXCREMENT, GARBAGE, OR OTHER OFFENSIVE MATTER OR ANY OTHER SUBSTANCE THAT WOULD TEND TO HAVE A POLLUTING EFFECT, INTO THE WATER OF ANY STREAM, DITCH, POND, WELL, CISTERN, OR OTHER BODY OF WATER, WHETHER ARTIFICIALLY OR NATURALLY CREATED, OR SO NEAR ANY SUCH PLACE AS TO BE LIKELY TO POLLUTE THE WATER.

(h) ANY VIOLATION OF THIS SECTION SHALL BE SUBJECT TO IMMEDIATE CORRECTION BY THE VIOLATOR. IF IMMEDIATE COMPLIANCE IS NOT OBTAINED OR THE VIOLATOR IS CONSIDERED A CHRONIC VIOLATOR PURSUANT TO SECTION 9-11-7 OF THIS CODE, THE CITY MAY ABATE AS PROVIDED FOR IN ARTICLE 9-11 OF THIS CODE.

Section 16. Article 11 of Chapter 9 of the Northglenn Municipal Code is hereby amended by the addition of a new Section 9-11-15.5 to read as follows:

SECTION 9-11-15.5. REMOVAL OF SNOW AND ICE FROM SIDEWALKS.

(a) EVERY PERSON IN CHARGE OR CONTROL OF ANY BUILDING, OR LOT OF LAND WITHIN THE CITY FRONTING OR ABUTTING ON A PAVED SIDEWALK, WHETHER AS OWNER, TENANT, OCCUPANT, LESSEE, OR OTHERWISE, SHALL REMOVE AND CLEAR AWAY, OR CAUSE TO BE REMOVED AND CLEARED AWAY, SNOW AND ICE FROM SO MUCH OF SAID SIDEWALK AS IS IN FRONT OF OR ABUTS ON SAID BUILDING OR LOT OF LAND, WITHIN FORTY-EIGHT (48) HOURS AFTER THE CESSATION OF ANY FALL OF SNOW, SLEET OR FREEZING RAIN.

(b) IN THE EVENT SNOW AND ICE ON A SIDEWALK HAS BECOME SO HARD THAT IT CANNOT BE REMOVED WITHOUT LIKELIHOOD OF DAMAGE TO THE SIDEWALK, THE PERSON OR ENTITY CHARGED WITH ITS REMOVAL SHALL, WITHIN FORTY-EIGHT (48) HOURS AFTER THE CESSATION OF ANY FALL OF SNOW, SLEET OR FREEZING RAIN, CAUSE ENOUGH SAND OR OTHER ABRASIVE TO BE PUT ON THE SIDEWALK TO MAKE TRAVEL THEREON REASONABLY SAFE, AND SHALL THEN, AS SOON THEREAFTER AS WEATHER PERMITS, CAUSE SAID SIDEWALK TO BE THOROUGHLY CLEANED.

(c) AS USED IN THIS SECTION 9-11-15.5, THE TERM "SIDEWALK" MEANS THAT PORTION OF A STREET BETWEEN THE CURB LINES, OR THE LATERAL LINES OF A ROADWAY, AND THE ADJACENT PROPERTY LINES, INTENDED FOR THE USE OF PEDESTRIANS.

Section 17. Article 11 of Chapter 9 of the Northglenn Municipal Code is hereby amended by the addition of a new Section 9-11-16.5 to read as follows:

SECTION 9-11-16.5. OBSTRUCTING STREETS AND SIDEWALKS. IT IS UNLAWFUL FOR ANY PERSON TO WILLFULLY, MALICIOUSLY OR RECKLESSLY PLACE IN ANY DOORWAY OR DRIVEWAY NOT OWNED BY HIM OR UNDER HIS LAWFUL CONTROL OR ON ANY SIDEWALK, PUBLIC HIGHWAY, STREET OR ALLEY IN THE CITY ANY OBJECT WHICH CAUSES OR TENDS TO CAUSE THE OBSTRUCTION THEREOF OR OF ANY PART THEREOF.

Section 18. Section 9-11-17 of Northglenn Municipal Code is hereby amended by the addition of new subsection (b) as follows:

(b) FOR DISCHARGES THAT MAY POTENTIALLY RESULT IN IRREPARABLE ENVIRONMENTAL IMPACTS AND/OR INJURY, IMMEDIATE ABATEMENT PURSUANT TO SEC. 9-11-7 IS PERMITTED.

Section 19. Section 9-11-18 of the Northglenn Municipal Code is hereby amended by the addition of new subsection (b) to read as follows:

(b) FOR A VIOLATION OF THIS SECTION THAT MAY CONSTITUTE AN IMMEDIATE THREAT TO PUBLIC HEALTH, IMMEDIATE ABATEMENT PURSUANT TO SEC. 9-11-7 IS PERMITTED.

Section 20. Section 9-11-21 of the Northglenn Municipal Code is hereby repealed in its entirety.

Section 9-11-21. RESERVED.

Section 21. Article 11 of Chapter 9 of the Northglenn Municipal Code is hereby amended by the addition of a new Section 9-11-21.5 to read as follows:

SECTION 9-11-21.5. VISION TRIANGLE.

ON CORNER LOTS, SHRUBS, TREES, FLOWERS, OTHER PLANTS, OR STRUCTURES MORE THAN 30 INCHES ABOVE THE LEVEL OF THE FLOW LINE OF THE STREET SHALL NOT SUBSTANTIALLY OBSTRUCT VISION WITHIN A TRIANGLE MEASURED FROM THE POINT OF INTERSECTION OF THE FLOW LINES ABUTTING THE STREETS A DISTANCE OF 25 FEET ALONG EACH SUCH FLOW LINE.

Section 22. Section 9-11-24 of the Northglenn Municipal Code is hereby amended by the addition of a new subsection (c) as follows:

(c) THE INSPECTOR MAY IMMEDIATELY REMOVE ANY UNAUTHORIZED MATERIALS FROM PUBLIC FACILITIES. IF THE INSPECTOR CAN IDENTIFY THE OWNER OF THE UNAUTHORIZED MATERIAL, HE OR SHE MAY ISSUE A NOTICE OF VIOLATION WARNING THAT A REPEAT OFFENSE MAY RESULT IN A SUMMONS. UNAUTHORIZED MATERIALS ON VEHICLES SHALL BE REFERRED TO THE POLICE DEPARTMENT.

Section 23. Section 9-11-25 of the Northglenn Municipal Code is hereby deleted in its entirety:

Section 9-11-25. RESERVED.

Section 24. Article 11 of Chapter 9 of the Northglenn Municipal Code is hereby amended by the addition of a new Section 9-11-25.5 to read as follows:

SECTION 9-11-25.5. JUNK STORAGE. THE PLACEMENT AND USE OF DUMPSTERS, ROLL-OFFS, PORTABLE STORAGE CONTAINERS, AS THOSE TERMS ARE DEFINED

IN THE NORTHGLENN ZONING ORDINANCE, OR SIMILAR CONTAINERS OR STRUCTURES THAT ARE DESIGNED FOR THE DISPOSAL OF TRASH OR THE STORAGE OF HOUSEHOLD ITEMS AND HAVE A CAPACITY OF ONE (1) CUBIC YARD OR MORE SHALL BE PROHIBITED FOR ANY LENGTH OF TIME EXCEEDING SIXTY (60) DAYS UNLESS THE PLACEMENT AND USE OF SUCH CONTAINERS OR STRUCTURES IS INCIDENT TO AN ACTIVE BUILDING PERMIT PROPERLY ISSUED BY THE CITY FOR PROPERTY.

Section 25. Section 9-11-27 of the Northglenn Municipal Code is hereby deleted in its entirety:

Section 9-11-27. RESERVED

Section 26. Article 11 of Chapter 9 of the Northglenn Municipal Code is revised by the addition of a new Section 9-11-27.5 to read as follows:

SECTION 9-11-27.5. RESIDING IN VEHICLES

AT NO TIME SHALL ANY PARKED OR STORED VEHICLE, BOAT, OR TRUCK CAMPER BE OCCUPIED OR USED FOR LIVING OR HOUSEKEEPING PURPOSES OR FOR THE HOUSING OR KEEPING OF ANIMALS, EXCEPT AS PROVIDED FOR IN THIS CHAPTER, OR AS MAY BE ALLOWED BY A TEMPORARY USE PERMIT GRANTED IN ACCORDANCE WITH SECTION 11-29 OF THIS CODE. THE USE OF A MOTOR HOME, TRUCK CAMPER, TRAVEL TRAILER, CAMPING TRAILER, SEMI-TRAILER OR SPECIALIZED TRAILER FOR TEMPORARY SLEEPING QUARTERS ONLY, FOR A PERIOD NOT IN EXCESS OF FOURTEEN (14) DAYS, SHALL NOT BE DEEMED OCCUPANCY FOR LIVING OR HOUSEKEEPING PURPOSES. THIS EXCEPTION SHALL ONLY APPLY ON PRIVATE PROPERTY WITH THE PERMISSION OF THE PROPERTY OWNER OR ON-STREET IN RESIDENTIAL ZONES WHEN VISITING AN ADJACENT RESIDENCE.

Section 27. Section 9-11-28(b) of the Northglenn Municipal Code is hereby deleted in its entirety.

(a) RESERVED.

Section 28. Section 9-11-28(e) of the Northglenn Municipal Code is hereby amended to read as follows:

(e) It is unlawful and deemed a nuisance to sell or import into the City of Northglenn or plant or cause to be planted OR TO ALLOW TO PROPAGATE any female cottonwood trees (Populus species), Boxelder (Acer Negundo), Siberian Elm (Ulmus Pumila) or Russian Olive within the City and the planting and setting out of these certain plants is declared to be a menace to public health, safety and welfare and a public nuisance.

Section 29. Article 11 of Chapter 9 of the Northglenn Municipal Code is hereby amended by the addition of a new Section 9-11-28.5:

SECTION 9-11-28.5. PARKING OF VEHICLES

(a) NO VEHICLE, MOTOR VEHICLE, RECREATION VEHICLE, BOAT, OR DETACHED CAMPER SHALL BE PARKED OR STORED ON PREMISES IN ANY RESIDENTIAL ZONE:

- (1) OBSTRUCTING THE SIDEWALK OR PUBLIC RIGHT-OF-WAY;
- (2) UNLESS LOCATED ON A FULL PAD HARD SURFACE AS DEFINED IN SECTION 11-5-2(B)(67), EXTENDING THE ENTIRE LENGTH AND WIDTH OF THE VEHICLE; EXCEPT FOR OCCASIONAL PARKING SUCH AS WHILE WASHING VEHICLES OR PERFORMING HOME MAINTENANCE OR IMPROVEMENTS SUCH AS LANDSCAPING, PAINTING, CLEANING OR CONSTRUCTION. NO VEHICLE SHALL CAUSE VISIBLE RUTTING IN THE MOVING TO AND FROM AN APPROVED HARD SURFACE;
- (3) IN A MANNER AS TO CREATE A FIRE OR SAFETY HAZARD.

(A) STORAGE OF A DETACHED CAMPER MUST BE BEHIND THE FRONT SETBACK OF THE PRINCIPAL BUILDING, ON AN APPROVED HARD SURFACE, AND MUST BE LOWERED TO THE LOWEST LIMIT OF ITS JACKS OR LOADING APPARATUS; PROVIDED ALSO THAT ANY DETACHED CAMPER NOT EQUIPPED WITH JACKS OR LOADING APPARATUS SHALL BE PARKED OR STORED ON BLOCKS OR SUPPORTS NOT MORE THAN SIX (6) INCHES IN HEIGHT.

(B) EVERY BOAT, DETACHED CAMPER, AND VEHICLE EXCEPT A MOTOR VEHICLE SO STORED OR PARKED SHALL, EXCEPT WHEN SECURELY ATTACHED TO A MOTOR VEHICLE, BE SECURELY BLOCKED OR RESTRAINED FROM MOVING, TOPPLING OR FALLING.

(4) IN THE REAR OR SIDE YARDS UNLESS ACCESS FROM THE ADJACENT PUBLIC STREET IS BY WAY OF A HARD-SURFACE DRIVEWAY, AS DEFINED IN SECTION 11-5-2(B)(67); EXCEPTING FOR VEHICLES MOVED ONLY OCCASIONALLY WHOSE MOVEMENT FROM THE ADJACENT PUBLIC STREET DOES NOT CAUSE VISIBLE RUTTING OF OR DAMAGE TO THE YARD AREA.

Section 30. Section 9-11-29 of the Northglenn Municipal Code is hereby deleted in its entirety.

Section 9-11-29. RESERVED.

Section 31. Section 9-11-29.5(a) of the Northglenn Municipal Code is hereby amended to read as follows:

(a) Graffiti, meaning the defacement of public or private property by means of painting, drawing, writing, etching or carving with paint, spray paint, ink, knife or any similar method without written permission of the owner/property owner, ~~constitutes a threat to the public health, safety, morals and general welfare of people and property,~~ and is hereby declared a nuisance.

Section 32. Section 9-12-6 of the Northglenn Municipal Code is hereby amended to read as follows:

Section 9-12-6. Notice of Violation.

(a) ~~Whenever any authorized agent has discovered conditions at a building which violate the provisions of this article, such agent or officer shall notify the owner or occupant of the age of eighteen (18) years or older, or the agent of such owner as the word agent is defined in section 9-1-1 (2), of such violation in writing and of the need to correct or abate such violation within a reasonable time, but not less than thirty (30) days. The reasonable time to correct or abate the violation shall be thirty (30) days, unless the violation poses an imminent danger to the health, safety or welfare of the occupants or the public, then a shorter time will be required. MAY ENFORCE THE PROVISIONS OF THIS ARTICLE AS A NUISANCE PURSUANT TO ARTICLE 9-11 OF THIS CODE.~~

(b) ~~The 30 days notice referred to in subsection (a) of this section shall not be required prior to the issuance of municipal court summons and complaint.~~

Section 33. Sections 9-12-7, 9-12-8 and 9-12-9 of the Northglenn Municipal Code are hereby deleted in their entirety.

Section 9-12-7. RESERVED.

Section 9-12-8. RESERVED.

Section 9-12-9. RESERVED.

Section 34. Chapter 9 of the Northglenn Municipal Code is hereby amended by the addition of a new article 17 as follows:

ARTICLE 17
PROPERTY MAINTENANCE ORDINANCE

SECTION 9-17-1. TITLE. THIS ARTICLE SHALL BE KNOWN AND CITED AS THE PROPERTY MAINTENANCE ORDINANCE.

SECTION 9-17-2. BLOWING DUST.

(a) THE CITY COUNCIL HEREBY FINDS AND DECLARES THAT THE MAINTENANCE OF ANY LOT OR LOTS OR VACANT LAND WITHIN THE CITY OF NORTHGLENN SO AS TO PERMIT DUST, BLOWING SOIL OR BLOWING SAND IS DETRIMENTAL TO THE HEALTH OF THE GENERAL PUBLIC AND THE RESIDENTS

OF THE CITY OF NORTHGLENN AND TERRITORY ADJACENT THERETO, AND A SOURCE AND CAUSE OF DAMAGE TO REAL AND PERSONAL PROPERTY; THEREFORE, THE MAINTENANCE OF ANY SUCH LOT OR LOTS OR VACANT LAND WITHIN THE CITY SO AS TO PERMIT DUST, BLOWING SOIL OR BLOWING SAND IS HEREBY DECLARED TO BE A PUBLIC NUISANCE.

(b) IT IS UNLAWFUL AND DEEMED A NUISANCE FOR THE OWNER OR OCCUPANT OF ANY LOT OR LOTS OR VACANT LAND WITHIN THE CITY OF NORTHGLENN TO MAINTAIN SAID LOTS OR VACANT LAND IN SUCH A MANNER THAT PERMITS DUST OR BLOWING SOIL OR BLOWING SAND IN A MANNER DETERMINED BY AN OFFICER OF THE TRI-COUNTY DISTRICT HEALTH DEPARTMENT TO BE DETRIMENTAL TO THE HEALTH, OR THE DAMAGE OR INJURY OF ANY OF THE INHABITANTS OF THE CITY OF NORTHGLENN OR THE INHABITANTS OF ANY TERRITORY ADJACENT TO THE CITY OF NORTHGLENN.

(c) IT IS UNLAWFUL AND DEEMED A NUISANCE FOR THE OWNER OR OCCUPANT OF ANY LOT OR LOTS OF VACANT LAND WITHIN THE CITY OF NORTHGLENN TO MAINTAIN SAID LOTS OR VACANT LAND IN SUCH A MANNER THAT PERMITS DUST OR BLOWING SOIL OR BLOWING SAND WHICH IS DEPOSITED ON OTHER PROPERTY, OR WHICH IS DEPOSITED UPON OR WITHIN ANY PUBLIC STREET, PUBLIC HIGHWAY OR PUBLIC WAY.

SECTION 9-17-3. WEEDS AND GRASS CONTROL.

(a) ON DEVELOPED LOTS OR PARCELS, IT IS UNLAWFUL AND SHALL BE DEEMED A NUISANCE FOR THE OWNER OR OCCUPANT TO ALLOW THE PROPERTY TO BECOME OVERGROWN WITH WEEDS OR GRASS OF ANY KIND OR NATURE. THE OWNER OR OCCUPANT SHALL KEEP THE PROPERTY SUBSTANTIALLY FREE OF WEEDS. WEEDS SHALL BE CONTROLLED BY REMOVAL OR USE OF HERBICIDES. IT IS UNLAWFUL AND DEEMED A NUISANCE FOR THE OWNER OR OCCUPANT OF ANY DEVELOPED LOT OR PARCEL TO ALLOW TURF GRASS TO GROW TO A HEIGHT OF EIGHT (8) INCHES OR GREATER.

(b) ON UNDEVELOPED LOTS OR PARCELS, IT IS UNLAWFUL AND SHALL BE DEEMED A NUISANCE FOR THE OWNER OR OCCUPANT OF ANY PROPERTY TO PERMIT WEEDS OR GRASS TO GROW ON SUCH PROPERTY TO A HEIGHT OF MORE THAN EIGHT (8) INCHES WITHIN A DISTANCE OF ONE HUNDRED (100) FEET OF ANY PUBLIC STREET, PUBLICLY OWNED PROPERTY, OR WITHIN A DISTANCE OF ONE HUNDRED (100) FEET FROM ANY PRIVATELY OWNED DEVELOPED PROPERTY.

(c) FOR PURPOSES OF THIS SECTION 9-7-3, DEVELOPED SHALL MEAN ANY PARCEL OF GROUND SUBDIVIDED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF ADAMS COUNTY OR THE CITY OF NORTHGLENN, ON AND ON WHICH ANY BUILDING HAS BEEN CONSTRUCTED OR WHICH IS USED FOR PARKING OR STORAGE.

SECTION 9-17-4. TREES AND SHRUBS OVERHANGING PUBLIC RIGHTS-OF-WAY.

IT IS UNLAWFUL AND DEEMED A NUISANCE FOR ANY OWNER OR OCCUPANT OF PRIVATE PROPERTY TO ALLOW BRANCHES OF TREES, SHRUBS, BUSHES OR ANY OTHER PLANT MATERIAL GROWING ON PROPERTY OWNED OR OCCUPIED BY THEM TO:

- (a) OVERHANG PUBLIC STREETS IN THE FIRST 14 FEET OF SPACE ABOVE THE STREET, OR IN SUCH A MANNER THAT THE BRANCHES INTERFERE WITH THE SAFE AND UNOBSTRUCTED MOVEMENTS OF VEHICLES ON PUBLIC STREETS;
- (b) ENCROACH UPON PUBLIC SIDEWALKS OR OVERHANG THE FIRST EIGHT (8) FEET OF SPACE ABOVE PUBLIC SIDEWALKS, OR OTHERWISE INTERFERE WITH PEDESTRIAN TRAFFIC ON SUCH SIDEWALK; OR
- (c) OVERHANG PUBLIC RIGHTS-OF-WAY IN SUCH A MANNER THAT THE BRANCHES VISUALLY OBSTRUCT MOTORISTS' VIEW OF TRAFFIC SIGNS AND TRAFFIC SIGNALS.

SECTION 9-17-5. LANDSCAPING

- (a) LANDSCAPING IN ALL ZONE DISTRICTS EXCEPT AGRICULTURAL, SINGLE-FAMILY RESIDENTIAL AND OPEN ZONES THE FOLLOWING LANDSCAPE MAINTENANCE REQUIREMENTS SHALL APPLY:
 - (1) ALL LANDSCAPING SHALL BE CONTINUALLY MAINTAINED, INCLUDING NECESSARY WATERING, WEEDING, PRUNING, AND REPLACING IN A SUBSTANTIALLY SIMILAR MANNER AS ORIGINALLY APPROVED BY THE COMMISSION AND/OR DEPARTMENT OF COMMUNITY DEVELOPMENT, UNLESS ALTERED WITH THE WRITTEN APPROVAL OF THE ORIGINAL APPROVING PARTY.
 - (2) ALL PROPERTY OWNERS SHALL LANDSCAPE AND MAINTAIN THE UNPAVED PORTION OF CITY RIGHT-OF-WAY ABUTTING THEIR PROPERTY WITH THE EXCEPTION OF OWNERS OF SINGLE FAMILY RESIDENTIAL PROPERTIES ABUTTING ACCESS CONTROLLED ARTERIALS. ALL CITY RIGHT-OF-WAY ACCESS CONTROLLED ARTERIALS ABUTTING SINGLE-FAMILY RESIDENTIAL PROPERTIES SHALL BE MAINTAINED BY THE CITY. ACCESS CONTROLLED ARTERIAL SHALL MEAN 104TH AVENUE, 112TH AVENUE, 120TH AVENUE, HURON STREET AND WASHINGTON STREET.
- (b) LANDSCAPING FOR SINGLE-FAMILY, TWO-FAMILY, TOWNHOUSE, OR PATIO HOME DWELLING UNITS LOCATED IN R-1, R-1-A, R-1-B, R-1-C, R-2, R-3, OR PUD ZONE DISTRICTS.
 - (1) OWNERS OF EXISTING DWELLING UNITS INSTALLING 75% OR MORE NEW LANDSCAPING SHALL COMPLY WITH THE LANDSCAPE

REQUIREMENTS IN SECTION 11-6-14 OF THIS CODE WITHIN ONE (1) YEAR FOLLOWING THE PROJECT START DATE.

(2) OWNERS OF NEWLY CONSTRUCTED DWELLING UNITS SHALL COMPLY WITH THE LANDSCAPE REQUIREMENTS IN SECTION 11-6-14 OF THIS CODE WITHIN TWO (2) GROWING SEASONS FOLLOWING THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THEIR HOME.

(c) IF THE CITY OF NORTHGLENN IS REQUIRED TO ABATE THE VIOLATION AND CONDUCT MAINTENANCE, THE CITY MAY CHARGE THE OWNER OF THE PROPERTY THE TOTAL COST FOR SUCH SERVICES, BASED ON A HIGH AVERAGE OF FEES CHARGED BY LANDSCAPE MAINTENANCE FIRMS, AND A 50 PERCENT (50%) ADDITIONAL ADMINISTRATIVE CHARGE. THE INITIAL TIME FRAME FOR CORRECTION OF THIS VIOLATION SHALL BE THIRTY (30) DAYS.

SECTION 9-17-6. CONSTRUCTION AND MAINTENANCE OF OFF-STREET PARKING SPACES FOR NON-RESIDENTIAL USES.

(a) ALL PARKING AREAS SHALL BE GRADED FOR ADEQUATE DRAINAGE BASED ON SOUND ENGINEERING PRACTICES, SHALL BE HARD SURFACED AND MAINTAINED IN GOOD CONDITION, FREE OF WEEDS, LOOSE TRASH, AND DEBRIS. THE STORM RUNOFF FROM A PROPERTY MUST BE MANAGED SO THAT IT IS NOT ADVERSELY AFFECTING AN ADJACENT PROPERTY OR THE RIGHT-OF-WAY AND CANNOT BE ALTERED WITHOUT PRIOR CITY REVIEW AND APPROVAL.

(b) ALL PUBLIC ACCESS POINTS TO A PRIVATE PROPERTY ARE TO BE MAINTAINED BY THE PRIVATE PROPERTY OWNER IN A MANNER THAT PROVIDES SAFE ACCESS TO THE SITE. THIS INCLUDES ANY PART OF THE ACCESS THAT IS IN THE PUBLIC RIGHT-OF-WAY.

SECTION 9-17-7. MAINTENANCE AND REPAIR OF FENCES, SCREENS, AND RETAINING WALLS.

(a) ALL FENCES, SCREENS, AND RETAINING WALLS SHALL BE MAINTAINED IN SOUND CONDITION AND GOOD REPAIR AT ALL TIMES. WHEN A FENCE, SCREEN OR RETAINING WALL IS DECLARED BY AN OFFICER TO BE DILAPIDATED OR HAZARDOUS, THE OFFICER SHALL ORDER THAT THE FENCE, SCREEN OR RETAINING WALL TO BE REMOVED OR REPAIRED TO A SOUND CONDITION. DILAPIDATED SHALL INCLUDE, BUT NOT BE LIMITED TO, FENCES OR SCREENS WHICH HAVE BROKEN OR MISSING PLANKS OR PORTIONS, OR WHICH ARE OUT OF PLUMB BY MORE THAN ONE INCH PER FOOT OF HEIGHT MEASURED AT THE POSTS.

(b) AREAS ADJACENT TO FENCES, SCREENS, HEDGES, AND RETAINING WALLS SHALL BE MAINTAINED IN A CLEAN, SANITARY MANNER AND SHALL BE FREE AND CLEAR OF ALL DEBRIS, TRASH, AND WEEDS.

SECTION 9-17-8. TRASH CONTAINERS.

IT SHALL BE UNLAWFUL AND A VIOLATION OF THIS PROPERTY MAINTENANCE ORDINANCE TO VIOLATE SECTION 16-7-9 OF THIS CODE.

SECTION 9-17-9. ACCESS TO FIRE HYDRANTS, MANHOLES AND METERS

(a) ALL FIRE HYDRANTS, MANHOLES AND WATER METERS SHALL BE INSTALLED IN EITHER PUBLIC RIGHTS-OF-WAY OR IN A LOCATION SPECIFIED BY THE DIRECTOR OF NATURAL RESOURCES. IF SUCH LOCATION IS ON PRIVATE PROPERTY, AN EASEMENT, OF NECESSITY, ACROSS SUCH PRIVATE PROPERTY SHALL BE IMPLIED FOR ALL PURPOSES RELATED TO THE EXERCISE OF THE CITY'S RIGHTS AND OBLIGATIONS PURSUANT TO THESE ORDINANCES. EACH FIRE HYDRANT, MANHOLES AND WATER METER PIT SHALL BE PLACED AND MAINTAINED SO THAT IT IS READILY ACCESSIBLE TO THE DEPARTMENT OF NATURAL RESOURCES PERSONNEL, AWAY FROM TREES AND BUSHES AND OUTSIDE OF FENCES.

(b) IT SHALL BE UNLAWFUL FOR ANY WATER USER OR ANY PERSON OWNING OR POSSESSING THE PROPERTY ON WHICH A FIRE HYDRANT, MANHOLE OR METER IS LOCATED TO BLOCK ACCESS TO THE HYDRANT, MANHOLE OR METER IN ANY MANNER SO THAT ACCESS TO THE HYDRANT, MANHOLE OR METER IS PREVENTED. IF SUCH OBSTRUCTION IS NOT REMOVED WITHIN THE PERIOD OF TIME PRESCRIBED IN THE NOTICE REQUIRED IN SUBSECTION (E) BELOW, THE WATER USER SHALL BE DEEMED TO HAVE CONSENTED TO THE CITY'S ENTRY ONTO THE PROPERTY FOR THE PURPOSE OF REMOVING THE OBSTRUCTION AND GAINING ACCESS TO THE HYDRANT, MANHOLE OR METER. ALL COSTS INCURRED IN THE REMOVAL OF THE OBSTRUCTION SHALL BE CHARGED TO THE WATER USER AS PRESCRIBED IN SUBSECTION (E).

(c) IT SHALL BE UNLAWFUL FOR ANY PERSON OWNING OR POSSESSING THE PROPERTY ON WHICH A FIRE HYDRANT, MANHOLE OR METER PIT IS LOCATED TO FAIL TO MAINTAIN LANDSCAPING AROUND THE HYDRANT, MANHOLE OR METER PIT IN A MANNER WHICH PROVIDES AT LEAST THREE (3) FEET OF UNOBSTRUCTED ACCESS TO AND A VIEW OF THE HYDRANT, MANHOLE OR METER FROM THE PUBLIC RIGHT-OF-WAY AND AT LEAST FIVE (5) FEET OF VERTICAL CLEARANCE ABOVE THE HYDRANT, MANHOLE OR METER PIT.

(d) IT SHALL BE UNLAWFUL FOR ANY PERSON OWNING OR POSSESSING THE PROPERTY ON WHICH A FIRE HYDRANT OR METER PIT IS LOCATED TO RESTRICT ACCESS TO THE HYDRANT, MANHOLE OR METER PIT FROM THE PUBLIC RIGHT-OF-WAY BY A FENCE.

(e) IT SHALL BE UNLAWFUL FOR ANY PERSON OWNING OR POSSESSING THE PROPERTY ON WHICH A FIRE HYDRANT, MANHOLE OR METER PIT IS LOCATED TO FAIL TO ASSURE THAT LANDSCAPE MATERIALS TALLER THAN FOUR (4) INCHES ARE NO CLOSER THAN SIX (6) INCHES TO THE HYDRANT, MANHOLE OR

METER PIT OR TO ALLOW ANY LANDSCAPING MATERIALS TO COVER ANY PART OF THE HYDRANT, MANHOLE OR METER PIT LID.

(f) IF THE DIRECTOR OF NATURAL RESOURCES FINDS THAT ANY PERSON HAS FAILED TO COMPLY WITH ANY OF THE REQUIREMENTS OF SUBSECTIONS (A), (B), (C), OR (D) OF THIS SECTION, THE DIRECTOR OR HIS/HER DESIGNEE SHALL NOTIFY THE CUSTOMER PURSUANT TO SECTION 9-11-7 AND THIS PROVISION MAY BE ENFORCE AS PROVIDED FOR IN ARTICLE 9-11.

Section 35. Section 11-5-2(b)(69) of the Northglenn Municipal Code is hereby amended to read as follows :

Home Occupation. An occupation or profession which is conducted within a dwelling or on the premises thereof and is clearly incidental and secondary to the use of the dwelling for dwelling purposes and which is subject to the following limitations TO THE LIMITATIONS IN SECTION 11-7-6(g).

~~(A) — No More Than One Employee Allowed. A home occupation shall be conducted by family members residing in the home. No more than one non family member may be employed in a home occupation.~~

~~(B) — Not Visible to Neighborhood. No evidence of a home occupation shall be visible outside the principal building except for one wall or window sign no larger than one (1) square foot in size.~~

~~(C) — Use of Motor Vehicles and Trailers. Only one (1) motor vehicle used to conduct a home occupation may be kept at the home. A motor vehicle used to conduct a home occupation shall not exceed one (1) ton carrying capacity. When not being loaded or unloaded, any trailer(s) used to conduct a home occupation shall be stored in a garage or behind an opaque fence not less than six (6) feet in height so as not to be visible from any other public or private property.~~

~~(D) — Detached Sheds or Garages. A home occupation shall be conducted entirely within the principal building on the site (dwelling unit and attached garages). Detached structures such as garages or sheds may be used only for the storage of tools, materials, supplies, trailers or vehicles. No manufacturing, construction, fabrication, or assembly related to a home occupation shall occur within any detached structure. A detached structure shall not be used as an office, meeting room, display area, or to provide any service related to a home occupation.~~

~~(E) — No Activity Outside. No activity or storage related to the home occupation shall be allowed outside. The principal building except for the one (1) motor vehicle and trailer as described above in Section C.~~

~~(F) — Customer Hours Limited. Customers or clients of a home occupation may come to the home only between the hours of 7:00 a.m. and 10:00 p.m.~~

~~(G) — Customer Parking Restrictions. Vehicle parking for customers or clients of a home occupation shall be provided on the site of the home occupation or on that portion of the street adjacent to the lot used for the home occupation.~~

~~(H) — Delivery Vehicles Limited. Deliveries to the home associated with a home occupation may only be made between the hours of 7:00 a.m. to 7:00 p.m., and may only be made by vehicles which weigh less than 7000 pounds gross vehicle weight, and have no more than one (1) rear axle.~~

~~(I) — Noise Disturbance Prohibited. Any noise caused or generated by conduct of a home occupation shall not create a noise disturbance, as defined in the City's Noise Control Ordinance. Nor shall such noise be audible at any time beyond the property boundary of the residence where the home occupation is conducted.~~

~~(J) — Public Nuisance Prohibited. No home occupation shall create a public nuisance as defined in the Northglenn Nuisance Ordinance.~~

~~(K) — Hazardous Materials Restricted. No hazardous material, as listed in the Uniform Fire Code as that code may be amended from time to time, may be used or stored in conjunction with a home occupation except with the prior approval of both the Fire Marshall of the North Metro Fire Reseue District and the Chief Building Official of the City of Northglenn.~~

~~(L) — Sale of Merchandise Restricted. A home occupation shall not include sale of goods or merchandise, either wholesale or retail, at the residence in which the home occupation is conducted, except for home crafts and art works created at the home, and items which are provided in support of the provision of a home occupation service.~~

~~(M) — Tax License Required. A sales and use tax license is required for all home occupations.~~

~~(N) — Other Regulation. Home occupations shall be conducted in compliance with all other applicable regulations of the State of Colorado, City of Northglenn, North Metro Fire Reseue District, and the Tri-County Health Department.~~

~~(O) — Motor Vehicle Service Prohibited. No motor vehicle service, repair, maintenance, reconstruction, restoration, cleaning, sale, or storage shall be conducted as a home occupation. This restriction shall not be interpreted to preclude any of these activities for vehicles owned and used by the residents of the home as their personal automobiles.~~

~~(P) — Other Home Occupations. Other home occupations which cannot be conducted in conformance with these limitations may be permitted with a Special Use Permit as provided in Section 11-31-3.~~

Section 36. Sections 11-6-11(a), (b), (e), (f) and (g) of the Northglenn Municipal Code are hereby deleted.

(a) RESERVED.

(b) RESERVED.

- (e) RESERVED.
- (f) RESERVED.
- (g) RESERVED.

Section 37. Section 11-5-2 (192) of the Northglenn Municipal Code shall be amended as follows:

(192) Yard or Garage Sale. The sale of used personal property in a residential zone by the owner or occupant of the residence is subject to the following conditions IN SECTION 11-7-6(h).

- ~~(A) — No more than two (2) such sales shall be held at the same property in any calendar year.~~
- ~~(B) — No such sale shall last more than three (3) consecutive days.~~
- ~~(C) — Posted, outdoor advertising for such sale shall conform to the criteria for special event signs as contained in Section 11-35-4(i) of the Municipal Code of the City of Northglenn.~~

Section 38. Section 11-6-13, subsection (b)(1) is amended to read as follows and subsections, (c)(6), (e) and (h) of the Northglenn Municipal Code are hereby deleted in their entirety.

~~(b)(1) Shade Trees: All shade trees shall be a minimum of two (2) inches in caliper. It is unlawful and deemed a nuisance to sell, allow to propagate or import into the City of Northglenn or plant or cause to be planted any female Cottonwood tree (Populus Deltoides Species), Box Elder (Acer Negundo), Siberian Elm (Ulmus Pumila) and Russian Olive within the City.~~

- (c)(6) RESERVED.
- (e) RESERVED.
- (h) RESERVED.

Section 39. Sections 11-6-14(e) and (f) of the Northglenn Municipal Code are hereby deleted in their entirety.

- (e) RESERVED.
- (f) RESERVED.

Section 40. Sections 11-7-2(b), (e) and (j) of the Northglenn Municipal Code are hereby deleted in their entirety.

- (b) RESERVED.

- (e) RESERVED.
- (j) RESERVED.

Section 41. Sections 11-7-3(a), (b), (c), (d), (e), (f), (g), and (k) of the Northglenn Municipal Code are hereby deleted in their entirety.

- (a) RESERVED.
- (b) RESERVED.
- (c) RESERVED.
- (d) RESERVED.
- (e) RESERVED.
- (f) RESERVED.
- (g) RESERVED.
- (k) RESERVED.

Section 42. Section 11-7-4(a) is hereby deleted in its entirety.

- (a) RESERVED.

Section 43. Section 11-7-6(g) of the Northglenn Municipal Code is hereby amended as follows:

- (g) Home occupations as defined in Section 11-5-2(b)(69) and meeting the following criteria:
 - (1) NO MORE THAN ONE EMPLOYEE ALLOWED. A HOME OCCUPATION SHALL BE CONDUCTED BY FAMILY MEMBERS RESIDING IN THE HOME. NO MORE THAN ONE NON-FAMILY MEMBER MAY BE EMPLOYED IN A HOME OCCUPATION.
 - (2) NOT VISIBLE TO NEIGHBORHOOD. NO EVIDENCE OF A HOME OCCUPATION SHALL BE VISIBLE OUTSIDE THE PRINCIPAL BUILDING EXCEPT FOR ONE WALL OR WINDOW SIGN NO LARGER THAN ONE (1) SQUARE FOOT IN SIZE.
 - (3) USE OF MOTOR VEHICLES AND TRAILERS. ONLY ONE (1) MOTOR VEHICLE USED TO CONDUCT A HOME OCCUPATION MAY BE KEPT AT THE HOME. A MOTOR VEHICLE USED TO CONDUCT A HOME OCCUPATION SHALL NOT EXCEED TEN THOUSAND (10,000) POUNDS CARRYING CAPACITY. WHEN NOT BEING LOADED OR UNLOADED, ANY TRAILER(S) USED TO CONDUCT A HOME OCCUPATION SHALL BE STORED IN A GARAGE

OR BEHIND AN OPAQUE FENCE NOT LESS THAN SIX (6) FEET IN HEIGHT SO AS NOT TO BE VISIBLE FROM ANY OTHER PUBLIC OR PRIVATE PROPERTY.

(4) DETACHED SHEDS OR GARAGES. A HOME OCCUPATION SHALL BE CONDUCTED ENTIRELY WITHIN THE PRINCIPAL BUILDING ON THE SITE (DWELLING UNIT AND ATTACHED GARAGES). DETACHED STRUCTURES SUCH AS GARAGES OR SHEDS MAY BE USED ONLY FOR THE STORAGE OF TOOLS, MATERIALS, SUPPLIES, TRAILERS OR VEHICLES. NO MANUFACTURING, CONSTRUCTION, FABRICATION, OR ASSEMBLY RELATED TO A HOME OCCUPATION SHALL OCCUR WITHIN ANY DETACHED STRUCTURE. A DETACHED STRUCTURE SHALL NOT BE USED AS AN OFFICE, MEETING ROOM, DISPLAY AREA, OR TO PROVIDE ANY SERVICE RELATED TO A HOME OCCUPATION.

(5) NO ACTIVITY OUTSIDE. NO ACTIVITY OR STORAGE RELATED TO THE HOME OCCUPATION SHALL BE ALLOWED OUTSIDE. THE PRINCIPAL BUILDING EXCEPT FOR THE ONE (1) MOTOR VEHICLE AND TRAILER AS DESCRIBED ABOVE IN SECTION (g)(3).

(6) CUSTOMER HOURS LIMITED. CUSTOMERS OR CLIENTS OF A HOME OCCUPATION MAY COME TO THE HOME ONLY BETWEEN THE HOURS OF 7:00 A.M. AND 10:00 P.M.

(7) CUSTOMER PARKING RESTRICTIONS. VEHICLE PARKING FOR CUSTOMERS OR CLIENTS OF A HOME OCCUPATION SHALL BE PROVIDED ON THE SITE OF THE HOME OCCUPATION OR ON THAT PORTION OF THE STREET ADJACENT TO THE LOT USED FOR THE HOME OCCUPATION.

(8) DELIVERY VEHICLES LIMITED. DELIVERIES TO THE HOME ASSOCIATED WITH A HOME OCCUPATION MAY ONLY BE MADE BETWEEN THE HOURS OF 7:00 A.M. TO 7:00 P.M., AND MAY ONLY BE MADE BY VEHICLES WHICH WEIGH LESS THAN 7000 POUNDS GROSS VEHICLE WEIGHT, AND HAVE NO MORE THAN ONE (1) REAR AXLE.

(9) NOISE DISTURBANCE PROHIBITED. ANY NOISE CAUSED OR GENERATED BY CONDUCT OF A HOME OCCUPATION SHALL NOT CREATE A NOISE DISTURBANCE, AS DEFINED IN THE CITY'S NOISE CONTROL ORDINANCE. NOR SHALL SUCH NOISE BE AUDIBLE AT ANY TIME BEYOND THE PROPERTY BOUNDARY OF THE RESIDENCE WHERE THE HOME OCCUPATION IS CONDUCTED.

(10) PUBLIC NUISANCE PROHIBITED. NO HOME OCCUPATION SHALL CREATE A PUBLIC NUISANCE AS DEFINED IN THE NORTHGLENN NUISANCE ORDINANCE.

(11) HAZARDOUS MATERIALS RESTRICTED. NO HAZARDOUS MATERIAL, AS LISTED IN THE UNIFORM FIRE CODE AS THAT CODE MAY BE AMENDED FROM TIME TO TIME, MAY BE USED OR STORED IN CONJUNCTION WITH A

HOME OCCUPATION EXCEPT WITH THE PRIOR APPROVAL OF BOTH THE FIRE MARSHALL OF THE NORTH METRO FIRE RESCUE DISTRICT AND THE CHIEF BUILDING OFFICIAL OF THE CITY OF NORTHGLENN.

(12) SALE OF MERCHANDISE RESTRICTED. A HOME OCCUPATION SHALL NOT INCLUDE SALE OF GOODS OR MERCHANDISE, EITHER WHOLESALE OR RETAIL, AT THE RESIDENCE IN WHICH THE HOME OCCUPATION IS CONDUCTED, EXCEPT FOR HOME CRAFTS AND ART WORKS CREATED AT THE HOME, AND ITEMS WHICH ARE PROVIDED IN SUPPORT OF THE PROVISION OF A HOME OCCUPATION SERVICE.

(13) TAX LICENSE REQUIRED. A SALES AND USE TAX LICENSE IS REQUIRED FOR ALL HOME OCCUPATIONS.

(14) OTHER REGULATION. HOME OCCUPATIONS SHALL BE CONDUCTED IN COMPLIANCE WITH ALL OTHER APPLICABLE REGULATIONS OF THE STATE OF COLORADO, CITY OF NORTHGLENN, NORTH METRO FIRE RESCUE DISTRICT, AND THE TRI-COUNTY HEALTH DEPARTMENT.

(15) MOTOR VEHICLE SERVICE PROHIBITED. NO MOTOR VEHICLE SERVICE, REPAIR, MAINTENANCE, RECONSTRUCTION, RESTORATION, CLEANING, SALE, OR STORAGE SHALL BE CONDUCTED AS A HOME OCCUPATION. THIS RESTRICTION SHALL NOT BE INTERPRETED TO PRECLUDE ANY OF THESE ACTIVITIES FOR VEHICLES OWNED AND USED BY THE RESIDENTS OF THE HOME AS THEIR PERSONAL AUTOMOBILES.

(16) OTHER HOME OCCUPATIONS. OTHER HOME OCCUPATIONS WHICH CANNOT BE CONDUCTED IN CONFORMANCE WITH THESE LIMITATIONS MAY BE PERMITTED WITH A SPECIAL USE PERMIT AS PROVIDED IN SECTION 11-31-3.

(17) IF THE HOME OCCUPATION IS NOT PERMITTED IN THE ZONE WHERE IT IS LOCATED, THE USE SHALL BE DEEMED A NUISANCE AND ABATED PURSUANT TO SECTION 9-11.

Section 44. Section 11-7-6(h) of the Northglenn Municipal Code is hereby amended as follows:

(h) Yard or garage sales as defined in Section 11-5-2(b)(192) of the Municipal Code of the City of Northglenn, SUBJECT TO THE FOLLOWING CONDITIONS:

(1) NO MORE THAN TWO (2) YARD SALES SHALL BE HELD AT THE SAME PROPERTY IN ANY CALENDAR YEAR

(2) NO SUCH SALE SHALL LAST MORE THAN THREE (3) CONSECUTIVE DAYS.

(3) POSTED, OUTDOOR ADVERTISING FOR SUCH SALE SHALL CONFORM TO THE CRITERIA FOR SPECIAL EVENT SIGNS AS CONTAINED IN SECTION 21-1-5(2) OF THE MUNICIPAL CODE OF THE CITY OF NORTHGLENN.

(4) IF A YARD SALE IS CONDUCTED IN VIOLATION OF THIS SECTION, THE OFFICER CHARGED WITH ENFORCING THIS SECTION, MAY ISSUE A SUMMONS AND COMPLAINT.

Section 45. Section 11-13-13 of the Northglenn Municipal Code is hereby deleted.

Section 11-13-13. RESERVED.

Section 46. Sections 11-33-4(a) ad (b) of the Northglenn Municipal Code are hereby deleted in their entirety.

(a) RESERVED.

(b) RESERVED.

Section 47. Section 11-34-9 of the Northglenn Municipal Code is hereby deleted.

Section 11-34-9. RESERVED.

Section 48. Article 11-46 of the Northglenn Municipal Code is hereby deleted.

ARTICLE 46
~~ILLEGAL VEHICLES~~ RESERVED

Section 49. Section 14-1-4 of the Northglenn Municipal Code is hereby amended by the addition of new subsections (d), (e), and (f) to read as follows:

(d) IT IS UNLAWFUL AND DEEMED A NUISANCE TO ALLOW ANY MICE, RATS, SQUIRRELS, SKUNKS, RABBITS, PRAIRIE DOGS, GOPHERS, OR GROUNDHOGS TO INFEST ANY REAL PROPERTY WITHIN THE CITY SO AS TO ENCROACH UPON OR CAUSE DAMAGE TO THE PROPERTY OF ANOTHER. ANY ABATEMENT PURSUANT TO SECTIONS 9-11-7 THROUGH 9-11-12 SHALL CONFORM TO APPLICABLE STATE LAW AND DIVISION OF WILDLIFE REGULATIONS.

(e) THE RAISING OR BREEDING OF DOGS, CATS, DOMESTIC FOWL OR REPTILES FOR COMMERCIAL PURPOSES IS PROHIBITED.

(f) THERE SHALL BE NO LIMITATION ON THE NUMBER OF HOUSEHOLD PETS ALLOWED PER DWELLING UNIT EXCEPT FOR THOSE SET FORTH IN OTHER ORDINANCES OF THE CITY OF NORTHGLENN OR SET FORTH IN LOCAL OR STATE HEALTH REGULATIONS.

Section 50. Article 5 of Chapter 14 of Northglenn Municipal Code is hereby amended to read as follows:

**ARTICLE 5
ANIMAL CRUELTY**

SECTION 14-5-1. DEFINITIONS.

- (a) "ABANDON" MEANS THE LEAVING OF AN ANIMAL WITHOUT ADEQUATE PROVISIONS FOR THE ANIMAL'S PROPER CARE BY ITS OWNER, THE PERSON RESPONSIBLE FOR THE ANIMAL'S CARE OR CUSTODY, OR ANY OTHER PERSON HAVING POSSESSION OF SUCH ANIMAL.
- (b) "ANIMAL" MEANS ANY LIVING NON-HUMAN CREATURE.
- (c) "MISTREATMENT" INCLUDES EVERY ACT OR OMISSION WHICH CAUSES OR UNREASONABLY PERMITS THE CONTINUATION OF, UNNECESSARY OR UNJUSTIFIABLE PAIN OR SUFFERING.
- (d) "NEGLECT" INCLUDES FAILURE TO PROVIDE FOOD, WATER, PROTECTION FROM THE ELEMENTS, OPPORTUNITY FOR EXERCISE, OR OTHER CARE NORMAL, USUAL, AND PROPER FOR AN ANIMAL'S HEALTH AND WELL-BEING.

SECTION 14-5-2. CRUELTY TO ANIMALS--NEGLECT OF ANIMALS--OFFENSES. IT IS UNLAWFUL FOR ANY PERSON TO COMMIT CRUELTY TO OR NEGLECT ANIMALS. A PERSON COMMITS CRUELTY TO ANIMALS IF HE KNOWINGLY OR WITH CRIMINAL NEGLIGENCE OVERDRIVES, OVERLOADS, OVERWORKS, TORTURES, TORMENTS, DEPRIVES OF NECESSARY SUSTENANCE, UNNECESSARILY OR CRUELLY BEATS, NEEDLESSLY MUTILATES, NEEDLESSLY KILLS, CARRIES OR CONFINES IN OR UPON ANY VEHICLES IN A CRUEL OR RECKLESS MANNER, OR OTHERWISE MISTREATS OR NEGLECTS ANY ANIMAL, OR CAUSES OR PROCURES IT TO BE DONE, OR, HAVING THE CHARGE OR CUSTODY OF ANY ANIMAL, FAILS TO PROVIDE IT WITH PROPER FOOD, DRINK, OR PROTECTION FROM THE WEATHER OR ABANDONS IT.

SECTION 14-5-3. ANIMAL FIGHTING.

- (a) IT IS UNLAWFUL FOR ANY PERSON TO CAUSE, SPONSOR, ARRANGE, HOLD, OR ENCOURAGE A FIGHT BETWEEN ANIMALS FOR THE PURPOSE OF MONETARY GAIN OR ENTERTAINMENT.
- (b) FOR THE PURPOSE OF THIS SECTION, A PERSON ENCOURAGES A FIGHT BETWEEN ANIMALS FOR THE PURPOSE OF MONETARY GAIN OR ENTERTAINMENT IF HE:
 - (1) IS KNOWINGLY PRESENT AT OR WAGERS ON SUCH A FIGHT;

(2) OWNS, TRAINS, TRANSPORTS, POSSESSES, OR EQUIPS AN ANIMAL WITH THE INTENT THAT SUCH ANIMAL WILL BE ENGAGED IN SUCH A FIGHT;

(3) KNOWINGLY ALLOWS ANY SUCH FIGHT TO OCCUR ON ANY PROPERTY OWNED OR CONTROLLED BY HIM.

(4) KNOWINGLY ALLOWS ANY ANIMAL USED FOR SUCH A FIGHT TO BE KEPT, BOARDED, HOUSED, OR TRAINED ON, OR TRANSPORTED IN, ANY PROPERTY OWNED OR CONTROLLED BY HIM;

(5) KNOWINGLY USES ANY MEANS OF COMMUNICATION FOR THE PURPOSE OF PROMOTING SUCH A FIGHT; OR

(6) KNOWINGLY POSSESSES ANY ANIMAL USED FOR SUCH A FIGHT OR ANY DEVICE INTENDED TO ENHANCE THE ANIMAL'S FIGHTING ABILITY.

(c) NOTHING IN THIS SECTION SHALL PROHIBIT NORMAL HUNTING PRACTICES AS APPROVED BY THE DIVISION OF WILDLIFE.

(d) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT THE TRAINING OF ANIMALS OR THE USE OF EQUIPMENT IN THE TRAINING OF ANIMALS FOR ANY PURPOSE NOT PROHIBITED BY LAW.

SECTION 14-5-4. TRAPPING OF ANIMALS--PROHIBITED. IT IS UNLAWFUL FOR ANY PERSON TO TRAP OR SET ANY TRAPS OR TRAPPING DEVICES DESIGNED TO CAPTURE, ENCLOSE, HOLD OR OTHERWISE PROHIBIT THE FREE MOVEMENT OF ANY ANIMAL, EXCEPT INSECTS, RODENTS, AND VERMIN, IN A MANNER DESIGNED OR READILY CALCULATED TO INJURE SUCH ANIMAL, EXCEPT SUCH TRAPS OR TRAPPING DEVICES AS MAY BE SET AT THE DIRECTION OF AUTHORIZED ANIMAL CONTROL OFFICERS OR OTHER DESIGNATED STATE WILDLIFE PERSONNEL.

SECTION 14-5-5. REMOVAL OF ANIMAL. IN THE EVENT THERE IS PROBABLE CAUSE TO BELIEVE THAT A VIOLATION OF ANY OF THE PROVISIONS OF THIS ARTICLE HAS OCCURRED, THE MUNICIPAL COURT, AN ANIMAL CONTROL OFFICER, POLICE OFFICER OR OTHER DESIGNATED OFFICIAL MAY REMOVE THE ANIMAL OR ANIMALS FROM THE POSSESSION OF THE PERSON INVOLVED. THE MUNICIPAL COURT MAY ORDER THE TEMPORARY OR PERMANENT REMOVAL OF THE ANIMAL OR ANIMALS INVOLVED FROM THE POSSESSION OF ANY INDIVIDUAL CONVICTED OF VIOLATING THIS ARTICLE.

Section 51. Section 16-1-2 of the Northglenn Municipal Code is hereby deleted in its entirety.

Section 16-1-2. RESERVED.

Section 52. Section 16-1-5 of the Northglenn Municipal Code is hereby deleted in its entirety.

Section 16-1-5. RESERVED.

Section 53. Section 16-18-13 of the Northglenn Municipal Code is hereby deleted in its entirety.

Section 16-18-3. RESERVED.

INTRODUCED, READ AND ORDERED POSTED this 22nd day of May, 2017.



JOYCE DOWNING
Mayor

ATTEST:



JOHANNA SMALL, CMC
City Clerk

PASSED ON SECOND AND FINAL READING this 12th day of June, 2017.




JOYCE DOWNING
Mayor

ATTEST:



JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:



COREY Y. HOFFMANN
City Attorney