

**CHARTER
AND CODE
OF THE
COUNTY OF WELD, COLORADO**

VOLUME 1

(Charter through Chapter 18)

2001

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Weld County Code
Supplementation Instructions

This Supplement contains all modifications to the Weld County Code by ordinance through **Weld County Code Ordinance No. 2010-3, effective May 4, 2010.**

Remove Old Pages

Insert New Pages

Volume 1

Title page
CC-iii
CC-xxx, CC-xxxii
Appx 5-3
6-i
Appx 6-1—Appx 6-13
15-i
—
I-7—I-10
I-18a, I-18b
I-31, I-32
I-35, I-36
I-47—I-50

Title page
CC-iii
CC-xxx, CC-xxxii
Appx 5-3
6-i
Appx 6-1—Appx 6-13
15-i
15-5, 15-6
I-7—I-10a
I-18a, I-18b
I-31, I-32
I-35—I-36a
I-47—I-50a

Volume 2

Title page
CC-xxx, CC-xxxii
23-23—23-24a
29-i, 29-ii
29-11, 29-12
29-19, 29-20
29-41, 29-42
T-87—T-204
I-7—I-10
I-18a, I-18b
I-31, I-32
I-35, I-36
I-47—I-50

Title page
CC-xxx, CC-xxxii
23-23—23-24b
29-i, 29-ii
29-11, 29-12
29-19, 29-20
29-41, 29-42
T-87—T-204
I-7—I-10a
I-18a, I-18b
I-31, I-32
I-35—I-36a
I-47—I-50a

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Fort Collins, Colorado

June 2010

Weld County Code
Supplementation Instructions

This Supplement contains all modifications to the Weld County Code by ordinance through **Weld County Code Ordinance No. 2009-13, effective December 31, 2009.**

Remove Old Pages *Insert New Pages*

Volume 1

iii	iii
vii, viii	vii, viii
C-i—C-vi	C-i—C-vi
C-5—C-12	C-5—C-12
C-19—C-22	C-19—C-22
CI-1, CI-2	CI-1, CI-2
CC-xxix—CC-xl	CC-xxix—CC-xl
2-iii—2-2	2-iii—2-2
2-69	2-69—2-71
3-7, 3-8	3-7, 3-8
3-21—3-24	3-21—3-24a
5-i, 5-ii	5-i, 5-ii
Appx 5-3	Appx 5-3
Appx 5-7—Appx 5-10	Appx 5-7—Appx 5-10
Appx 5-13—5-17	Appx 5-13—5-17
Appx 5-21—Appx 5-24	Appx 5-21—Appx 5-24
Appx 5-29	Appx 5-29
—	Appx 5-37
14-iii	14-iii
14-51	14-51
I-1—I-4a	I-1—I-4a
I-11—I-18a	I-11—I-18b
I-21—I-55	I-21—I-57

Volume 2

CC-xxix—CC-xl	CC-xxix—CC-xl
19-9—19-12	19-9—19-12
19-33—19-36	19-33—19-36
19-43—19-46	19-43—19-46
19-53—19-56	19-53—19-56
19-65—19-72	19-65—19-72
19-75—19-78	19-75—19-78
19-81—19-84	19-81—19-84
19-87—19-96	19-87—19-96
21-1, 21-2	21-1, 21-2
21-5, 21-6	21-5, 21-6

Remove Old Pages

Insert New Pages

22-iii, 22-iv	22-iii, 22-iv
22-7—22-12	22-7—22-12b
23-i—23-vi	23-i—23-vi
23-ix, 23-x	23-ix, 23-x
23-8a—23-24*	23-9—23-24a
23-29, 23-30	23-29, 23-30
23-33, 23-34	23-33, 23-34
23-37, 23-38	23-37, 23-38
23-43, 23-44	23-43, 23-44
23-53—23-56	23-53—23-56
23-90a—23-98b*	23-91—23-98a
23-101, 23-102	23-101, 23-102
23-105—23-116c*	23-105—23-116b
23-118a—23-122*	23-119—23-122
23-127—23-128a*	23-127, 2-128
23-133, 23-134	23-133—23-134a
23-144a—23-144c	23-144a—23-144d
23-149—23-154	23-149—23-154a
23-167—23-174	23-167—23-174
24-i—24-iii	24-i—24-iv
24-19, 24-20	24-19—24-20a
24-30a—24-36*	24-31—36b
24-49—24-50a	24-49—24-50a
Appx 24-1, Appx 24-2	Appx 24-1, Appx 24-2
Chapter 26 divider tab	Chapter 26 divider tab
26-i—Appx 26-23	26-i—Appx 26-37
27-i—27-iii	27-i—27-iii
27-3, 27-4	27-3, 27-4
27-7, 27-8	27-7, 27-8
27-11, 27-12	27-11, 27-12
27-15—27-18	27-15—27-18
27-29, 27-30	27-29, 27-30
T-201—T-204	T-87—T-204
I-1—I-4a	I-1—I-4a
I-11—I-18a	I-11—I-18b
I-21—I-55	I-21—I-57

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February 2010

Weld County Code
Supplementation Instructions

This Supplement contains all modifications to the Weld County Code by ordinance through Weld County Code **Ordinance No. 2009-6, effective May 27, 2009.**

Remove Old Pages

Insert New Pages

Volume 1

CC-xxxix, CC-xl
2-13—2-14a
2-23, 2-24
3-i, 3-ii
3-23, 3-24
3-27, 3-28
3-37—3-42
Appx 3-9
5-i, 5-ii
5-14a
Appx 5-3
Appx 5-7—Appx 5-10
Appx 5-13—5-17
Appx 5-21—Appx 5-23
Appx 5-29
Appx 6-1—Appx 6-11
Appx 8-25—Appx 8-29
I-23, I-24
I-29, I-30

CC-xxxix, CC-xl
2-13—2-14a
2-23, 2-24
3-i, 3-ii
3-23, 3-24
3-27, 3-28
3-37—3-42
Appx 3-9
5-i, 5-ii
5-14a
Appx 5-3
Appx 5-7—Appx 5-10
Appx 5-13—5-17
Appx 5-21—Appx 5-24
Appx 5-29
Appx 6-1—Appx 6-12
Appx 8-25—Appx 8-30
I-23, I-24
I-29, I-30

Volume 2

CC-xxxix, CC-xl
26-i—26-2
Appx 26-23
T-85—T-204
I-23, I-24
I-29, I-30

CC-xxxix, CC-xl
26-i—26-2
Appx 26-23
T-85—T-204
I-23, I-24
I-29, I-30

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Weld County Code
Supplementation Instructions

This Supplement contains all modifications to the Weld County Code by ordinance through Weld County Code **Ordinance No. 2008-16, effective December 24, 2008.**

Remove Old Pages *Insert New Pages*

Volume 1

iii	iii
CC-xxix—CC-xxxii	CC-xxix—CC-xxxii
CC-xxxvii—CC-xl	CC-xxxvii—CC-xl
2-11—2-14	2-11—2-14a
2-31—2-32b	2-31—2-32b
3-i—3-iv	3-i—3-iv
3-3—3-8	3-3—3-8
3-27—3-32	3-27—3-32a
—	Appx 3-7—Appx 3-9
5-i, 5-ii	5-i, 5-ii
5-11, 5-12	5-11, 5-12
5-23—5-24b	5-23—5-24b
8-i—8-iii	8-i—8-iii
8-15, 8-16	8-15—8-16a
8-33, 8-34	8-33—8-34a
8-45, 8-46	8-45, 8-46
8-77—8-85	8-77—8-85
—	Appx 8-45, Appx 8-46
14-9—14-12b	14-9—14-12b
14-33—14-40	14-33—14-40
17-9, 17-10	17-9, 17-10
I-1, I-2	I-1, I-2
I-11—I-18	I-11—I-18a
I-23—I-38	I-23—I-38a
I-41—I-46	I-41—I-46
I-49, I-50	I-49, I-50
I-53—I-55	I-53—I-55

Remove Old Pages

Insert New Pages

Volume 2

CC-xxix—CC-xxxii	CC-xxix—CC-xxxii
CC-xxxvii—CC-xl	CC-xxxvii—CC-xl
22-i—Appx 22-25*	22-i—22-65
23-iii, 23-iv	23-iii, 23-iv
23-ix, 23-x	23-ix, 23-x
23-29—23-32b	23-29—23-32b
23-43—23-46	23-43—23-46
23-53—23-56	23-53—23-56a
23-91—23-94	23-91—23-94
23-101—23-116b	23-101—23-116c
23-143, 23-144	23-143—23-144c
24-i—24-iii	24-i—24-iii
24-11, 24-12	24-11, 24-12
24-15—24-20	24-15—24-20
24-25—24-30	24-25—24-30b
24-34a—24-48b	24-35—24-48b
27-iii	27-iii
27-8a—27-10*	27-9—27-10a
27-17—27-20	27-17—27-20
27-23—27-28	27-23—27-28
29-39, 29-40	29-39, 29-40
30-i, 30-ii	30-i, 30-ii
T-85—T-204	T-85—T-204
I-1, I-2	I-1, I-2
I-11—I-18	I-11—I-18a
I-23—I-38	I-23—I-38a
I-41—I-46	I-41—I-46
I-49, I-50	I-49, I-50
I-53—I-55	I-53—I-55

Insert this Instruction Sheet behind the Supplementation Tab at the front of Weld County Code Volume 1. Removed sheets should be filed for future reference.

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Weld County Code

Instructions for Supplement No. 14

This Supplement contains all modifications to the Weld County Code by ordinance through Weld County Code **Ordinance No. 2008-4, effective June 2, 2008.**

Remove Old Pages: *Insert New Pages:*

Volume 1

C-i—C-vi	C-i—C-vi
C-1, C-2	C-1, C-2
C-5, C-6	C-5, C-6
C-13—C-20	C-13—C-20a
CI-1—CI-3	CI-1—CI-3
CC-ix, CC-x	CC-ix, CC-x
CC-xxix—CC-xxxviii	CC-xxix—CC-xl
Appx 5-3	Appx 5-3
Appx 5-7—Appx 5-10	Appx 5-7—Appx 5-10
Appx 5-13—Appx 5-15	Appx 5-13—Appx 5-15
Appx 5-29	Appx 5-29
6-i—Appx 6-11	6-i—Appx 6-11
14-i, 14-ii	14-i—14-iii
14-45, 14-46	14-45—14-51
I-3, I-4	I-3—I-4a
I-7, I-8	I-7, I-8
I-17, I-18	I-17, I-18
I-21, I-22	I-21, I-22
I-27—I-32	I-27—I-32a
I-37—I-52	I-37—I-55

Volume 2

CC-xxix—CC-xxxviii	CC-xxix—CC-xl
19-13, 19-14	19-13, 19-14
19-85, 19-86	19-85, 19-86
21-i, 21-ii	21-i—21-iii
21-27—21-33	21-27—21-55
23-ix, 23-x	23-ix, 23-x
23-5, 23-6	23-5, 23-6
23-13—23-18	23-13—23-18a
23-23—23-32	23-23—23-32b
23-35—23-38	23-35—23-38

Remove Old Pages:

Insert New Pages:

Volume 2 (cont'd)

23-43—23-46	23-43—23-46b
23-49—23-52	23-49—23-52
23-55, 23-56	23-55, 23-56
23-59, 23-60	23-59, 23-60
23-75, 23-76	23-75, 23-76
23-81, 23-82	23-81, 23-82
23-85, 23-86	23-85, 23-86
23-90a, 23-90-b	23-90a, 23-90b
23-92a—23-98 *	23-93—23-98b
23-101—23-118b	23-101—23-118a
23-131—23-138	23-131—23-138
23-167, 23-168	23-167, 23-168
24-i—24-iii	24-i—24-iii
24-13—24-34b	24-13—24-34b
24-45—24-50	24-45—24-50a
26-iii	26-iii
26-11, 26-12	26-11—26-12a
26-23	26-23
27-iii	27-iii
27-9—27-12	27-9—27-12
27-19—27-28	27-19—27-28
29-i—29-iii	29-i—29-iii
29-11—29-16	29-11—29-16
29-19, 29-20	29-19, 29-20
29-24a—29-26a	29-24a—29-26a
T-83—T-204	T-83—T-204
I-3, I-4	I-3—I-4a
I-7, I-8	I-7, I-8
I-17, I-18	I-17, I-18
I-21, I-22	I-21, I-22
I-27—I-32	I-27—I-32a
I-37—I-52	I-37—I-55

Insert this Instruction Sheet behind the Supplementation Tab at the front of Weld County Code Volume 1. removed sheets should be filed for future reference.

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Weld County Code
Instructions for Supplement No. 13

This Supplement contains all modifications to the Weld County Code by ordinance through Weld County Code **Ordinance No. 2007-13, effective December 10, 2007.**

Remove Old Pages: *Insert New Pages:*

Volume 1

iii	iii
C-i	C-i
CC-ix, CC-x	CC-ix, CC-x
CC-xxix—CC-xxxii	CC-xxix—CC-xxxii
CC-xxxvii, CC-xxxviii	CC-xxxvii, CC-xxxviii
1-5	1-5
2-i—2-iv	2-i—2-iv
2-3—2-32	2-3—2-32b
2-41—2-64	2-41—2-64b
2-69—Appx 2-4	2-69—Appx 2-19
Chapter 3 tab	Chapter 3 tab
3-i—3-67	3-i—3-67
Appx 3-1	Appx 3-1
5-i—5-2	5-i—5-2
5-5—5-12	5-5—5-12a
5-15—5-24	5-15—5-24b
Appx 5-1, Appx 5-2	Appx 5-1, Appx 5-2
Appx 5-7—Appx 5-10	Appx 5-7—Appx 5-10
Appx 5-17—Appx 5-23	Appx 5-17—Appx 5-23
7-i—7-13	7-i—7-15
9-20a—9-22	9-21—9-22a
Appx 9-1—Appx 9-4	Appx 9-1—Appx 9-4
10-i—10-2	10-i—10-2

Remove Old Pages:

Insert New Pages:

Volume 1 (cont'd)

14-i, 14-ii	14-i, 14-ii
14-9—14-12	14-9—14-12b
Appx 14-1	Appx 14-1
15-i—Appx 15-7	15-i—Appx 15-2
17-3, 17-4	17-3, 17-4
17-9—17-12	17-9—17-12
I-1—I-6	I-1—I-6
I-9—I-16a	I-9—I-16a
I-21—I-42a	I-21—I-42b
I-45—I-48	I-45—I-48

Volume 2

CC-xxix—CC-xxxii	CC-xxix—CC-xxxii
CC-xxxvii, CC-xxxviii	CC-xxxvii, CC-xxxviii
Appx 19-15, Appx 19-16	Appx 19-15, Appx 19-16
30-i, 30-ii	30-i, 30-ii
30-11, 30-12	30-11—30-12a
--	Appx 30-7
T-83—T-204	T-83—T-204
I-1—I-6	I-1—I-6
I-9—I-16a	I-9—I-16a
I-21—I-42a	I-21—I-42b
I-45—I-48	I-45—I-48

Insert this Instruction Sheet behind the Supplementation Tab at the front of Weld County Code Volume 1. Removed sheets should be filed for future reference.

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Weld County Code

Instructions for Supplement No. 12

This Supplement contains all modifications to the Weld County Code by ordinance through Weld County Code **Ordinance No. 2007-2, effective April 30, 2007.**

Remove Old Pages:

Insert New Pages:

Volume 1

2-i, 2-ii	2-i, 2-ii
2-5, 2-6	2-5, 2-6
2-23—2-24a	2-23—2-24a
2-29, 2-30	2-29, 2-30
2-51, 2-52	2-51, 2-52
5-i, 5-ii	5-i, 5-ii
5-25, 5-26	5-25, 5-26
Appx 5-3	Appx 5-3
Appx 5-9, Appx 5-10	Appx 5-9, Appx 5-10
Appx 5-13—Appx 5-15	Appx 5-13—Appx 5-15
Appx 5-25—Appx 5-29	Appx 5-25—Appx 5-29
I-1, I-2	I-1, I-2
I-5—I-8	I-5—I-8
I-17, I-18	I-17, I-18
I-25, I-26	I-25, I-26
I-33, I-34	I-33, I-34
I-37, I-38	I-37, I-38
I-42a—I-44	I-42a—I-44

Volume 2

22-v, 22-vi	22-v, 22-vi
22-7, 22-8	22-7, 22-8
22-11, 22-12	22-11, 22-12
23-ix	23-ix, 23-x
23-7—23-10	23-7—23-10
23-13, 23-14	23-13, 23-14
23-23—23-26	23-23—23-26
23-47, 23-48	23-47, 23-48
23-89—23-90b	23-89—23-90b
23-92a—23-94	23-92a—23-94
23-99—23-124b	23-99—23-124b

Remove Old Pages: *Insert New Pages:*

Volume 2 (cont'd)

23-149—23-152	23-149—23-152
Appx 23-3, Appx 23-4	Appx 23-3, Appx 23-4
24-i—24-iii	24-i—24-iii
24-9—24-12	24-9—24-12
24-15—24-16a	24-15—24-16a
24-19—24-22	24-19—24-22
24-31, 24-32	24-31, 24-32
24-35, 24-36	24-35, 24-36
24-47, 24-48	24-47—24-48d
24-53—24-56a	24-53—24-56a
Appx 24-3, Appx 24-4	Appx 24-3, Appx 24-4
26-i—26-6	26-i—26-6
26-11—26-16	26-11—26-16
26-21, 26-22	26-21, 26-22
Appx 26-21	Appx 26-21—Appx 26-23
27-iii	27-iii
27-3—27-8	27-3—27-8a
27-31—27-34	27-31—27-34
29-i, 29-ii	29-i, 29-ii
29-1—29-16	29-1—29-16
29-19—29-32	29-19-29-32
T-83—T-204	T-83—T-204
I-1, I-2	I-1, I-2
I-5—I-8	I-5—I-8
I-17, I-18	I-17, I-18
I-25, I-26	I-25, I-26
I-33, I-34	I-33, I-34
I-37, I-38	I-37, I-38
I-42a—I-44	I-42a—I-44

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Weld County Code

Instructions for Supplement No. 11

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Remove Old Pages:

Insert New Pages:

Volume 1

iii	iii
C-iii	C-iii, C-iv
C-19, C-20	C-19, C-20
CC-xxxii—CC-xxxiv	CC-xxxii—CC-xxxiv
3-i, 3-ii	3-i, 3-ii
3-7, 3-8	3-7—3-8a
3-19, 3-20	3-19, 3-20
8-iii	8-iii
--	8-31—8-85
I-13—I-16	I-13—I-16a
I-31, I-32	I-31, I-32
I-35—I-42a	I-35—I-42a

Volume 2

CC-xxxii—CC-xxxiv	CC-xxxii—CC-xxxiv
Appx 19-3	Appx 19-3
20-i—20-12	20-i—20-12
21-15—21-18	21-15—21-18
T-83—T-204	T-83—T-204
I-13—I-16	I-13—I-16a
I-31, I-32	I-31, I-32
I-35—I-42a	I-35—I-42a

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January 2007

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Weld County Code

Instructions for Supplement No. 10

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Remove Old Pages:

Insert New Pages:

Volume 1

CC-xxxv, CC-xxxvi	CC-xxxv, CC-xxxvi
1-5	1-5
2-3, 2-4	2-3, 2-4
2-11—2-12b	2-11—2-12b
5-i, 5-ii	5-i, 5-ii
5-25, 5-26	5-25, 5-26
Appx 5-33	Appx 5-33—Appx 5-35
Appx 6-9—Appx 6-11	Appx 6-9—Appx 6-11
9-13—9-20	9-13—9-20a
14-i, 14-ii	14-i, 14-ii
14-5—14-8	14-5—14-8
17-i, 17-ii	17-i, 17-ii
I-5—I-14	I-5—I-14
I-17, I-18	I-17, I-18
I-21, I-22	I-21—I-22a
I-25—I-28	I-25—I-28a
I-37—I-42	I-37—I-42a
I-45—I-52	I-45—I-52

Volume 2

CC-xxxv, CC-xxxvi	CC-xxxv, CC-xxxvi
21-1—21-6	21-1—21-6
22-i—22-14	22-i—22-14a
22-19—22-42	22-19—22-42a
Appx 22-7, Appx 22-8	Appx 22-7, Appx 22-8
23-iii—23-vi	23-iii—23-vi
23-ix	23-ix
23-7—23-10b	23-7—23-10b
23-13, 23-14	23-13, 23-14
23-23—23-26	23-23—23-26

Remove Old Pages:

Insert New Pages:

Volume 2 (cont'd)

23-43, 23-44	23-43, 23-44
23-49—23-52	23-49—23-52
23-75, 23-76	23-75—23-76a
23-90a—23-94a*	23-90a—23-94
23-117—23-124	23-117—23-124b
23-127, 23-128	23-127—23-128a
23-147—23-163*	23-147—23-160
--	Appx 23-3—Appx 23-5
24-iii	24-iii
24-15, 24-16	24-15—24-16a
24-28a—24-36*	24-29—24-36a
24-53, 24-54	24-53, 24-54
Appx 24-1-Appx 24-14*	Appx 24-1—Appx 24-11
26-i—Appx 26-21	26-i—Appx 26-21
27-iii	27-iii
27-3, 27-4	27-3, 27-4
27-15—27-18	27-15—27-18
27-25—27-30	27-25—27-30
29-iii	29-iii
29-7, 29-8	29-7, 29-8
29-15—29-18	29-15—29-18
29-25—29-26a	29-25—29-26a
29-39—29-42	29-39—29-42a
T-79—T-204	T-79—T-204
I-5—I-14	I-5—I-14
I-17, I-18	I-17, I-18
I-21, I-22	I-21—I-22a
I-25—I-28	I-25—I-28a
I-37—I-42	I-37—I-42a
I-45—I-52	I-45—I-52

Insert this Instruction Sheet behind the Supplementation Tab at the front of the Weld County Code. Removed sheets should be filed for future reference.

COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado
August 2006

Filed by: _____

Date: _____

Weld County Code

Instructions for Supplement No. 9

This Supplement contains all modifications to the Weld County Code by ordinance through Weld County Code **Ordinance No. 2005-15, effective January 1, 2006.**

NOTE: Due to the increase in size of the Weld County Code, the contents have been divided into two volumes. Before proceeding with the posting of this supplement, please remove Chapters 19 through the Index and place them into the binder marked **Volume 2.**

Remove Old Pages:

Insert New Pages:

Volume 1

Title Page	Title Page, Volume 1
iii	iii
C-i, C-iii	C-i, C-iii
C-11, C-12	C-11, C-12
CC-iii	CC-iii
CC-xxix—CC-xxxvii	CC-xxix—CC-xxxviii
2-iii, 2-iv	2-iii, 2-iv
2-11—2-12b	2-11—2-12b
2-65	2-65—2-69
Appx 2-3	Appx 2-3, Appx 2-4
3-i, 3-ii	3-i, 3-ii
3-1, 3-2	3-1, 3-2
3-5, 3-6	3-5, 3-6
3-9—3-40	3-9—3-40
Appx 3-1	Appx 3-1
5-i, 5-ii	5-i, 5-ii
5-17, 5-18	5-16a—5-18b
--	5-25, 5-26
Appx 5-3	Appx 5-3
Appx 5-7—Appx 5-15	Appx 5-7—Appx 5-15
Appx 5-21—Appx 5-27	Appx 5-21—Appx 5-33

Remove Old Pages:

Insert New Pages:

Volume 1 (cont'd)

6-1—Appx 6-13	6-1—Appx 6-13
8-i, 8-ii	8-i—8-iii
8-23, 8-24	8-23—8-30
9-i—Appx 9-3	9-i—Appx 9-7
12-i, 12-ii	12-i, 12-ii
14-i, 14-ii	14-i, 14-ii
--	14-23 — Appx 14-1
--	(after Chapter 17, add:
	Index tab—I-52,
	with blue sheet at end)

Volume 2

--	acetate—CC-xxxviii
23-iii — 23-vi	23-iii — 23-vi
23-ix	23-ix
23-142a — 23-156d	23-143 — 23-148
30-i — Appx 30-24	30-i — Appx 30-6
T-81—T-204	T-81—T-204
I-1—I-46	I-1—I-52

Insert this Instruction Sheet behind the Supplementation Tab at the front of the Weld County Code. Removed sheets should be filed for future reference.

COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado
April 2006

Filed by: _____

Date: _____

Weld County Code

Instructions for Supplement No. 8

This Supplement contains all modifications to the Weld County Code by ordinance through Weld County Code **Ordinance No. 2005-4, effective June 20, 2005.**

Remove Old Pages:

iii
vii, viii
CC-xxix—CC-xxxiv
—
—
19-i—19-iv
19-25—19-32*
19-37—19-42*
19-47—19-52*
19-57—19-64*
19-91
Appx 19-7—19-12
—
22-iii—22-2
22-7—22-12
22-23, 22-24
23-ix

Insert New Pages:

iii
vii, v-iii
CC-xxix—CC-xxxiv
Chapter 6 tab
6-i—Appx 6-13
19-i—19-iv
19-25—19-27
19-37, 19-38
19-47
19-57—19-59
19-91—19-96
Appx 19-7—19-12
Appx 19-17
22-iii—22-2
22-7—22-12a
22-23, 22-24
23-ix

Remove Old Pages:

23-9, 23-10
23-13, 23-14
23-18a—23-26*
23-39, 23-40
23-92a—23-94
23-101—23-114
23-117—23-118a
24-iii
24-49—24-56
T-81—T-204
I-11, I-12
I-15, I-16
I-19—I-20a
I-23, I-24
I-29—I-30b
I-39, I-40

Insert New Pages:

23-8a—23-10
23-13, 23-14
23-19—23-26b
23-39, 23-40
23-92a—23-94a
23-101—23-114a
23-117—23-118a
24-iii
24-49—24-56a
T-81—T-204
I-11, I-12
I-15, I-16
I-19—I-20a
I-23, I-24
I-29—I-30b
I-39, I-40

Insert this Instruction Sheet behind the Supplementation Tab at the front of the Weld County Code. Removed sheets should be filed for future reference.

COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado

July 2005

Filed by: _____

Date: _____

Supplement No. 7

Weld County Code

Instructions for Supplement No. 7

This Supplement contains all modifications to the Weld County Code by ordinance through Weld County Code **Ordinance No. 2004-10, effective January 1, 2005.**

Remove Old Pages:

iii
vii, viii
CC-xxxii—CC-xxxiv
2-1, 2-2
2-9—2-12a
2-15—2-18
2-27—2-34
5-i, 5-ii
5-9—5-14
Appx 5-1—Appx 5-3
Appx 5-7—Appx 5-10
Appx 5-13—Appx 5-15
Appx 5-19—Appx 5-27
—
—
12-1—12-6
15-i—15-17
17-i, 17-ii
17-19, 17-20
19-iii, 19-iv

Insert New Pages:

iii
vii, v-iii
CC-xxxii—CC-xxxiv
2-1, 2-2
2-9—2-12b
2-15—2-18
2-27—2-34
5-i, 5-ii
5-9—5-14a
Appx 5-1—Appx 5-3
Appx 5-7—Appx 5-10
Appx 5-13—Appx 5-15
Appx 5-19—Appx 5-27
Chapter 10 tab
10-i—10-7
12-1—12-6a
15-i—Appx 15-7
17-i, 17-ii
17-19—17-21
19-iii, 19-iv

Remove Old Pages:

19-85
Appx 19-15
22-i—22-iii
Appx 22-9, Appx 22-10
23-ix
23-10a, 23-10b
23-13—23-16
23-25, 23-26
23-129—23-134
23-156e—23-160*
24-iii
24-49, 24-50
26-iii—26-2
T-81—T-204
I-5, I-6
I-9, I-10
I-19, I-20
I-25, I-26
I-29—I-32b
I-35—I-40a

Insert New Pages:

19-85—19-91
Appx 19-16
22-i—22-iii
Appx 22-9
23-ix
23-10a, 23-10b
23-13—23-16a
23-25, 23-26
23-129—23-134
23-157—23-160b
24-iii
24-49, 24-50
26-iii—26-2
T-81—T-204
I-5, I-6
I-9—I-10a
I-19—I-20a
I-25, I-26
I-29—I-32b
I-35—I-40a

Insert this Instruction Sheet behind the Supplementation Tab at the front of the Weld County Code. Removed sheets should be filed for future reference.

COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado

February 2005

Filed by: _____

Date: _____

Weld County Code

Instructions for Supplement No. 6

This Supplement contains all modifications to the Weld County Code by ordinance through Weld County Code Ordinance No. 2003-11, effective March 1, 2004.

Remove Old Pages:

CC-xxix, CC-xxx
CC-xxxiii—CC-xxxvi
5-i, 5-ii
Appx 5-1—Appx 5-27
19-33—19-38
19-45, 19-46
19-57, 19-58
19-63, 19-64
19-67, 19-68
19-73, 19-74
19-79, 19-80
Appx 19-5—Appx 19-14
Chapter 21 tab
21-7—21-14
23-i—23-vi
23-ix
23-10a, 23-10b
23-13—23-18
23-21, 23-22
23-25—23-44a
23-49—23-92b
23-99—23-102
23-105, 23-106

Insert New Pages:

CC-xxix, CC-xxx
CC-xxxiii—CC-xxxvi
5-i, 5-ii
Appx 5-1—Appx 5-27
19-33—19-38
19-45, 19-46
19-57, 19-58
19-63, 19-64
19-67, 19-68
19-73, 19-74
19-79, 19-80
Appx 19-5—Appx 19-14
Chapter 21 tab
21-7—21-14
23-i—23-vi
23-ix
23-10a, 23-10b
23-13—23-18
23-21, 23-22
23-25—23-44b
23-49—23-92b
23-99—23-102
23-105, 23-106

Remove Old Pages:

23-111—23-118
23-125—23-144
23-163—23-166
24-i—24-iii
24-6a—24-28b*
24-31—24-50
24-53—24-56
--
26-1, 26-2
27-iii—27-10
27-13—27-16b
27-18a—27-33*
29-i, 29-ii
29-1—29-26a
29-29, 29-30
29-45, 29-46
T-79—T-204
I-6a, I-6b
I-11—I-26
I-30a—I-32
I-35—I-40
I-43—I-46

Insert New Pages:

23-111—23-118a
23-125—23-144a
23-163—23-166
24-i—24-iii
24-7—24-28b
24-31—24-50b
24-53—24-56
Appx 24-17
26-1, 26-2
27-iii—27-10
27-13—27-16b
27-19—27-35
29-i, 29-ii
29-1—29-26a
29-29, 29-30
29-45, 29-46
T-79—T-204
I-6a, I-6b
I-11—I-26a
I-30a—I-32
I-35—I-40
I-43—I-46

Insert this Instruction Sheet behind the Supplementation Tab at the front of the Weld County Code. Removed sheets should be filed for future reference.

COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado

April 2004

Filed by: _____

Date: _____

Weld County Code

Instructions for Supplement No. 5

This Supplement contains all modifications to the Weld County Code by ordinance through Weld County Code Ordinance No. 2003-6, effective June 24, 2003.

Remove Old Pages:

CC-xxix—CC-xxxvi
2-iii
2-61
3-i—3-41
5-i, 5-ii
5-23, 5-24
Appx 5-9—Appx 5-18a*
8-i, 8-ii
8-11, 8-12
8-15, 8-16
--
9-17, 9-18
12-7, 12-8
12-23
17-17, 17-18
22-iii
Appx 22-9, Appx 22-10
26-iii—26-2
T-79—T-203
I-1—I-4
Do not remove I-4a
I-9—I-12
I-15, I-16
I-19—I-32
I-35—I-40

Insert New Pages:

CC-xxix—CC-xxxvii
2-iii, 2-iv
2-61—2-65
3-i—Appx 3-6
5-i, 5-ii
5-23, 5-24
Appx 5-9, Appx 5-10
8-i, 8-ii
8-11, 8-12
8-15—8-24
Appx 8-19—Appx 8-44
9-17, 9-18
12-7—12-8a
12-23, 12-24
17-17, 17-18
22-iii
Appx 22-9, Appx 22-10
26-iii—26-2
T-79—T-204
I-1—I-4

I-9—I-12a
I-15, I-16
I-19—I-32b
I-35—I-40a

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COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado
July 2003

Weld County Code

Instructions for Supplement No. 4

This Supplement contains all modifications to the Weld County Code by ordinance through Weld County Code Ordinance No. 2002-12, effective January 1, 2003.

Remove Old Pages:

CC-xxix—CC-xxxvi
2-i—2-iii
2-23, 2-24
2-41, 2-42
2-57, 2-58
3-3—3-8
3-17, 3-18
3-21—3-24
3-39, 3-40
5-i, 5-ii
5-23, 5-24
Appx 5-2a *—Appx 5-24
Appx 5-27
9-i, 9-ii
9-7—9-18
9-35
14-i
14-11, 14-12
19-iii, 19-iv
19-79
--
20-i—Appx 20-10 *
22-i—Appx 22-8
23-iii—23-ix
23-7—23-10a
23-13—23-18
23-21, 23-22
23-24a—23-26
23-31—23-36

Insert New Pages:

CC-xxix—CC-xxxvi
2-i—2-iii
2-23—2-24a
2-41—2-42a
2-57, 2-58
3-3—3-8
3-17, 3-18
3-21—3-24
3-39, 3-40
5-i, 5-ii
5-23, 5-24
Appx 5-3—Appx 5-24
Appx 5-27
9-i, 9-ii
9-7—9-18
9-35—9-39
14-i, 14-ii
14-11—14-22
19-iii, 19-iv
19-79—19-85
Appx 19-15
20-i—Appx 20-5
22-i—Appx 22-25
23-iii—23-ix
23-7—23-10b
23-13—23-18a
23-21—23-22a
23-24a—23-26
23-31—23-36

Remove Old Pages:

23-51, 23-52
23-89—23-92b
23-101—23-114
23-117, 23-118
23-125—23-134a
23-155, 23-156
24-i—24-iii
24-3—24-6b
24-33—24-36
24-47—24-56
Appx 24-3, Appx 24-4
Appx 24-15—Appx 24-18 *
26-i, 26-iii
26-9, 26-10
Appx 26-19
27-iii—27-4
27-27, 27-28
29-1—29-4
29-9, 29-10
29-21—29-26
T-79—T-203
I-1, I-2
I-5—I-6a
I-9, I-10
I-13—I-28
I-31—I-34
I-37, I-38
I-41, I-42
I-45, I-46

Insert New Pages:

23-51, 23-52
23-89—23-92b
23-101—23-114
23-117, 23-118
23-125—23-134b
23-155—23-156f
24-i—24-iii
24-3—24-6b
24-33—24-36a
24-47—24-56
Appx 24-3, Appx 24-4
Appx 24-15, Appx 24-16
26-i, 26-iii
26-9, 26-10
Appx 26-19—Appx 26-21
27-iii—27-4
27-27, 27-28
29-1—29-4
29-9, 29-10
29-21—29-26a
T-79—T-203
I-1, I-2
I-5—I-6b
I-9, I-10
I-13—I-28b
I-31—I-34
I-37, I-38
I-41—I-42a
I-45, I-46

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COLORADO CODE PUBLISHING COMPANY

Fort Collins, Colorado

January 2003

Weld County Code

Instructions for Supplement No. 3

This Supplement contains all modifications to the Weld County Code by ordinance through Weld County Code Ordinance No. 2002-4, effective May 20, 2002, and Weld County Code Ordinance No. 2002-5, effective March 27, 2002.

Remove Old Pages:

C-i—C-vii
C-1, C-2
C-7—C-10
C-13, C-14
C-19, C-20
C-29, C-30
CI-1—CI-3
CC-xxix—CC-xxxii
2-iii
2-59, 2-60
Appx 5-1, Appx 5-2
Appx 5-5, Appx 5-6
Appx 5-13, Appx 5-14
Appx 5-19—Appx 5-22
8-i—8-14
Appx 8-17, Appx 8-18

Insert New Pages:

C-i—C-vii
C-1, C-2
C-7—C-10
C-13, C-14
C-19, C-20
C-29, C-30
CI-1—CI-3
CC-xxix—CC-xxxii
2-iii
2-59—2-61
Appx 5-1—Appx 5-2a
Appx 5-5, Appx 5-6
Appx 5-13—Appx 5-14a
Appx 5-19—Appx 5-22
8-i—8-16
Appx 8-17, Appx 8-18

Remove Old Pages:

17-i
17-11, 17-12
19-iii, 19-iv
19-73
Appx 19-9, Appx 19-10
Appx 19-13
21-1, 21-2
22-iii
22-29, 22-30
26-iii—26-2
T-201—T-203
I-1—I-4
I-11, I-12
I-19, I-20
I-26a
I-29, I-30
I-33, I-34

Insert New Pages:

17-i, 17-ii
17-11—17-20
19-iii, 19-iv
19-73—19-79
Appx 19-9, Appx 19-10
Appx 19-13, Appx 19-14
21-1, 21-2
22-iii
22-29, 22-30
26-iii—26-2
T-79—T-203
I-1—I-4a
I-11, I-12
I-19—I-20a
I-26a
I-29—I-30a
I-33, I-34

Insert this Instruction Sheet behind the Supplementation Tab at the front of the Weld County Code. Removed sheets should be filed for future reference.

COLORADO CODE PUBLISHING COMPANY

Fort Collins, Colorado

July 2002

Weld County Code

Instructions for Supplement No. 2

This Supplement contains all modifications to the Weld County Code by ordinance through Weld County Code Ordinance No. 2001-8, effective December 31, 2001.

Remove Old Pages:

vii, viii
CC-xxix—CC-xxxvi
2-1—2-4
2-11, 2-12
2-23—2-26
2-37, 2-38
2-41, 2-42
2-45, 2-46
5-i, 5-ii
5-19, 5-20
5-23, 5-24
Appx 5-1—Appx 5-24
9-i, 9-ii
9-33
20-i—20-2
20-15, 20-16
20-19, 20-20
Appx 20-5—Appx 20-10

Insert New Pages:

vii, viii
CC-xxix—CC-xxxvi
2-1—2-4
2-11—2-12a
2-23—2-26a
2-37—2-38a
2-41, 2-42
2-45, 2-46
5-i, 5-ii
5-19, 5-20
5-23, 5-24
Appx 5-1—Appx 5-27
9-i, 9-ii
9-33—9-35
20-i—20-2a
20-15, 20-16
20-19, 20-20
Appx 20-5—Appx 20-10

Remove Old Pages:

—
—
22-iii
22-29, 22-30
23-ix
23-19, 23-20
23-23—23-26
23-41—23-44
23-52a—23-54
23-117, 23-118
26-iii—26-2
29-13—29-16
29-19, 29-20
T-77—T-203
I-1—I-6
I-13—I-24
I-29—I-34
I-37, I-38

Insert New Pages:

Chapter 21 Tab
21-i—21-33
22-iii
22-29, 22-30
23-ix
23-19, 23-20
23-23—23-26
23-41—23-44
23-52a—23-54
23-117, 23-118
26-iii—26-2
29-13—29-16
29-19, 29-20
T-77—T-203
I-1—I-6a
I-13—I-24a
I-29—I-34
I-37, I-38

Insert this Instruction Sheet behind the Supplementation Tab at the front of the Weld County Code. Removed sheets should be filed for future reference.

COLORADO CODE PUBLISHING COMPANY

Fort Collins, Colorado

January 2002

Weld County Code

Instructions for Supplement No. 1

This Supplement contains all modifications to the Weld County Code by ordinance through Weld County Code Ordinance No. 2001-3, effective May 28, 2001.

Remove Old Pages:

iii
CC-xxxI, CC-xxxii
CC-xxxv, CC-xxxvi
2-7, 2-8
2-47, 2-48
7-9, 7-10
12-i—12-6
12-21, 12-22
15-i—15-16
Appx 19-3
22-iii
22-15, 22-16
22-41, 22-42
23-i—23-iv
23-ix
23-5—23-10
23-15—23-28
23-31—23-36
23-39—23-44
23-49—23-52
23-55—23-58
23-63, 23-64
23-77—23-80

Insert New Pages:

iii
CC-xxxI, CC-xxxii
CC-xxxv, CC-xxxvi
2-7, 2-8
2-47, 2-48
7-9, 7-10
12-i—12-6
12-21—12-23
15-i—15-17
Appx 19-3
22-iii
22-15, 22-16
22-41, 22-42
23-i—23-iv
23-ix
23-5—23-10a
23-15—23-28
23-31—23-36a
23-39—23-44a
23-49—23-52a
23-55—23-58a
23-63, 23-64
23-77—23-80

<i>Remove Old Pages:</i>	<i>Insert New Pages:</i>
23-87—23-92	23-87—23-92b
23-99, 23-100	23-99, 23-100
23-121—23-134	23-121—23-134a
23-163—23-166	23-163—23-166
23-169—23-174	23-169—23-174
24-i—24-28	24-i—24-28b
24-31—23-34	24-31—23-34a
24-37—24-54	24-37—24-54c
Appx 24-1—Appx 24-11	Appx 24-1—Appx 24-18
26-iii	26-iii
26-9, 26-10	26-9—26-10a
26-15, 26-16	26-15—26-16a
27-i—27-18	27-i—27-18b
27-21—27-26	27-21—27-26a
27-31	27-31—27-33
29-43, 29-44	29-43, 29-44
Appx 30-5, Appx 30-6	Appx 30-5, Appx 30-6
T-77—T-203	T-77—T-203
I-9—I-12	I-9—I-12
I-15, I-16	I-15, I-16
I-19—I-26	I-19—I-26a
I-29, I-30	I-29, I-30
I-37—I-44	I-37—I-44

Insert this Instruction Sheet behind the Supplementation Tab at the front of the Weld County Code. Removed sheets should be filed for future reference.

COLORADO CODE PUBLISHING COMPANY

Fort Collins, Colorado

July 2001

SUPPLEMENTATION

Supplements to this Code provide periodic updating through the removal and replacement of pages. This inter-leaf supplementation system requires that each page which is to be removed and replaced is identified so that the updating may be accurately accomplished and historically maintained.

Instructions for supplementation are provided for each supplement, identified by Supplement number, date and inclusive ordinance numbers. The Instructions for posting the removal and replacement of pages must be followed and accomplished in sequence, with the most recent supplementation posted **last**.

When supplementation is completed and the removal and replacement of all pages are accomplished, the Instructions should be placed under the Supplementation tab, in front of this page, with the most recent Instruction sheet on top. Previous Instructions should not be removed, so that the user may refer to this tab section to verify whether the code book is fully updated with all supplements included.

The maintenance of a County Code with all supplementation is an important activity which deserves close attention so that the value of the code is maintained as a fully comprehensive compilation of the legislative ordinances of the county.

AMENDMENTS

Amendments may be made to the Code by additions, revisions or deletions therefrom. Those changes may be made as follows:

Additions: Additions may be made by ordinance to the Code as follows:

The "Weld County Code" is amended by the addition thereto of a new Section 2-1-20, which is to read as follows:

(Set out full section number, title and contents)

or if the location of the new section number or numbers is undetermined, the Code may be amended as follows:

The "Weld County Code" is amended by the addition of the following:

(Set out section title and contents)

Revisions: A revision of the Code may be accomplished as follows:

Section 2-1-20 of the "Weld County Code" is repealed in its entirety and readopted to read as follows:

(Set out section number, title and entire contents of the readopted code section)

or as follows:

Section 2-1-20 of the "Weld County Code" is amended to read as follows:

(Set out section number, title and entire contents of the amended code section)

Repeal: Sections, articles and chapters may be repealed as follows:

Section 2-1-20 of the "Weld County Code" is repealed in its entirety.

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COUNTY OF WELD

MASTER TABLE OF CONTENTS

MASTER TITLE PAGE.....	i
OFFICIALS OF THE COUNTY	iii
SUPPLEMENTATION	v
MASTER TABLE OF CONTENTS.....	vii
CHARTER TITLE PAGE	C-i
CHARTER TABLE OF CONTENTS	C-iii
CHARTER.....	C-1
Article I Name, Nature, Boundaries, County Seat	
Article II County Powers	
Article III Board of County Commissioners	
Article IV Departments of County Government	
Article V Department of Law	
Article VI Elective Officers	
Article VII County Assessor	
Article VIII County Clerk	
Article IX County Coroner	
Article X County Sheriff	
Article XI County Treasurer	
Article XII Office of County Surveyor Abolished	
Article XIII County Council	
Article XIV Finance and Budget	
Article XV Elections	
Article XVI General Provisions	
Article XVII Amendments to Charter	
Article XVIII Transitional Provisions	
CHARTER INDEX.....	CI-1
CODE TITLE PAGE	CC-i
PREFACE.....	CC-iii
ADOPTING ORDINANCE.....	CC-v
CODE TABLE OF CONTENTS.....	CC-xxix
Chapter 1 General Provisions	
Chapter 2 Administration	
Chapter 3 Personnel	
Chapter 4 Reserved	
Chapter 5 Revenue and Finance	
Chapter 6 Law Enforcement	
Chapter 7 Emergency Medical Services	
Chapter 8 Public Works	
Chapter 9 Information Services	
Chapter 10 Social Services	
Chapter 11 Franchises	

Chapter 12	Licenses and Permits
Chapter 13	Reserved
Chapter 14	Health and Animals
Chapter 15	Vegetation
Chapter 16	Reserved
Chapter 17	Public Places
Chapter 18	Reserved
Chapter 19	Coordinated Planning Agreements
Chapter 20	Road Impact Fees
Chapter 21	Areas and Activities of State Interest
Chapter 22	Comprehensive Plan
Chapter 23	Zoning
Chapter 24	Subdivisions
Chapter 25	Reserved
Chapter 26	Regional Urbanization Areas
Chapter 27	Planning Unit Development
Chapter 28	Reserved
Chapter 29	Building Regulations
Chapter 30	Sewage Systems

TABLES	T-1
CODE INDEX	I-1

CODE
OF THE
COUNTY OF WELD
COLORADO

2001

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PREFACE

The County of Weld, a Home Rule County incorporated in September 1861, has published its County Code in a format which features the following:

The *Table of Contents* is the table containing each chapter and article title, with reference to page location. Preceding each chapter is a chapter table of contents, also identifying each article by the subject name provided.

The *three-place section numbering system* places the chapter number first, followed by the article number and section number, separated by hyphens. Each section may be cited by the chapter, article and section number which are in sequence within each chapter.

The *open chapter and page numbering system* creates reserved chapter and page numbers for expansion or revision of the code without undue complication when changes are made to the code by supplementation.

The *Disposition of Ordinances Table* identifies the source for the contents of the code. This table provides ordinance numbers in chronological order and location by section number for the present code contents. Thus, if there is interest in determining whether an ordinance, or a portion thereof, is contained within the code, the Disposition of Ordinances Table will provide that information. The *Table of Up-to-Date Pages* lists all of the current pages through the most recent supplementation.

The *Index* provides references by common and legal terminology to the appropriate code sections. Cross-references are provided with the Index when appropriate.

Supplements to the code provide regular updating of the code to maintain it as a current compilation of all the legislation which has general and continuing effect. Without regular supplementation, the code would soon lose its usefulness as a complete source of the general law of the county. Supplementation is accomplished by the periodic publication of additions and amendments to the code.

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**WELD COUNTY CODE
ORDINANCE 2000-1**

IN THE MATTER OF ADOPTING BY REFERENCE AND ENACTING A CODE FOR THE COUNTY OF WELD; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE ADOPTION OF SECONDARY CODES BY REFERENCE; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WELD, STATE OF COLORADO:

Section 1. The primary code entitled the *Weld County Code*, published by Colorado Code Publishing Company, consisting of Chapters 1 through 30, be, and hereby is, adopted. Ordinances codified into said Code include those adopted prior to December 18, 2000, and are delineated on the "Disposition of Ordinances Table," a copy of which is marked "Exhibit A" and attached hereto.

Section 2. All ordinances of a general and permanent nature enacted on or before the adoption date of this Ordinance, which are inconsistent with the provisions of the Weld County Code, to the extent of such inconsistency, be, and hereby are, repealed.

Section 3. The repeal established in Section 2 of this Ordinance shall not be construed to revive any ordinance or part thereof that had been previously repealed by any ordinance which is repealed by this Ordinance.

Section 4. The following secondary codes were previously adopted by reference and are incorporated in the Weld County Code. A copy is on file in the Clerk to the Board's office and the Department of Planning Services:

- (1) The Uniform Building Code, 1997 edition, published by the International Conference of Building Officials, as adopted and amended in Section 29-2-20.
- (2) The International Mechanical Code, 1998 edition, published by the International Code Counsel, Inc., as adopted and amended in Section 29-2-30.
- (3) The National Electrical Code, 1999 edition, published by the National Fire Protection Association, as adopted and amended in Section 29-2-40.
- (4) The International Plumbing Code, 1997 edition, published by the International Code Counsel, Inc., as adopted and amended in Section 29-2-50.
- (5) The Uniform Code for the Abatement of Dangerous Buildings, 1997 edition, published by the International Conference of Building Officials, as adopted and amended in Section 29-2-60.
- (6) The Uniform Housing Code, 1997 edition, published by the International Conference of Building Officials, as adopted and amended in Section 29-2-110.
- (7) American Association of State Highway Traffic Officials (AASHTO) Manual on Uniform Traffic Control Devices (MUTCD), as referenced in Chapter 23, Zoning.

Section 5. The following penalties were previously adopted by reference and are incorporated into the Weld County Code :

- (1) Section 12-1-80. Penalties. (Article I, Assembly Permits)
- (2) Section 12-4-80. Penalties. (Article IV, Utility Permits)
- (3) Section 14-1-40. Violations and penalties. (Article I, Littering)
- (4) Section 14-1-50. Penalty assessment and schedule. (Article I, Littering)
- (5) Section 14-4-80. Violations and penalties. (Article IV, Animals)
- (6) Section 14-4-90. Penalty assessment and schedule. (Article IV, Animals)
- (7) Section 14-4-100. Bodily injury. (Article IV, Animals)
- (8) Section 17-1-50. Violation; penalty. (Article I, Roads, Streets and Sidewalks)
- (9) Section 17-2-40. Violation; penalties. (Article II, Public Parks)
- (10) Section 17-2-50. Penalty assessment and schedule. (Article II, Public Parks)
- (11) Section 17-3-50. Violations and penalties. (Article III, Public Trails)
- (12) Section 17-3-60. Penalty assessment and schedule. (Article III, Public Trails)
- (13) Section 23-9-70. Violation, penalty. (Article IX, Adult Business, Service or Entertainment Establishment)
- (14) Section 23-10-20. Criminal penalties. (Article X, Enforcement)
- (15) Section 23-10-40. Civil penalties. (Article X, Enforcement)
- (16) Section 24-10-30. Violations and penalties. (Article X, Fees, Violations and Penalties)
- (17) Section 29-11-10. Violation. (Article XI, Violations and Enforcement)

Section 6. The following maps, previously adopted and incorporated into the Zoning Ordinance, the Mixed Use Development Plan Ordinance and the Comprehensive Plan Ordinance, be, and hereby are, adopted and incorporated into the Weld County Code by reference only. These maps may change rapidly. Please refer to the map prepared by the Department of Planning Services on file with the Clerk to the Board for the most current map. A copy of these maps, along with a confirmation of its filing with the Clerk to the Board, is also on file with the Department of Planning Services.

- (1) Map 2.1, Structural Land Use Map (Mixed Use Development)
- (2) Map 2.2, Structural Transportation Network (Mixed Use Development)
- (3) Urban Growth Boundary Map with Intergovernmental Agreement Boundaries (Comprehensive Plan)
- (4) Division of Wildlife, Potential for Impact to Wildlife Habitat (Comprehensive Plan)
- (5) Transportation Plan Map #3 (Comprehensive Plan)
- (6) Recreational Transportation Facilities Map #4 (Comprehensive Plan)
- (7) Sand and Gravel Resources, Map #7 (Comprehensive Plan)
- (8) Coal Resources Map #6 (Comprehensive Plan)
- (9) Two Airport Overlay Maps titled Airport Airspace Drawing and Land Use Plan (Zoning Ordinance)
- (10) Geological Hazard Map (Zoning Ordinance)
- (11) Zoning Plat Maps (Zoning Ordinance)

(12) FEMA Maps (Zoning Ordinance)

Section 7. The Weld County Administrative Manual, previously adopted by the Board of County Commissioners, be, and hereby is, incorporated into the Weld County Code, with the following revisions.

- (1) Addition to Section 2-1-30.D, to read as follows: All resolutions will be listed on the Consent Agenda of the meeting immediately following approval. The exceptions listed below do not require a resolution upon approval, and are listed on the Consent Agenda on the day they are approved.
 1. Change orders for construction projects.
 2. Bid agreements/contracts presented for signature.
 3. Drinking water/pollutant discharge agreements.
 4. Veterans' Service reports.
 5. Deputy D.A. appointments.
 6. Bid approvals which are continued.
 7. Items which are continued to the next regular meeting (considered to be "held over").
 8. Proclamations/Presentations.
- (2) Addition to Section 2-1-70 to read: On April 5, 1999, the Board determined that E-mail messages received by individual Board members will be treated as personal correspondence and will not be listed on the Consent Agenda. E-mail messages regarding pending quasi-judicial proceedings are not, however, considered personal and should be directed to the Clerk to the Board to be placed in the appropriate record. Any official correspondence should be directed to the Clerk to the Board at charding@co.weld.co.us.
- (3) Section 2-1-90.A through E shall read as follows:
 - A. Department of Finance, Purchasing and Personnel:
 1. Finance
 2. Personnel
 3. Information Services
 4. Accounting
 5. Clerk to the Board
 6. Budget
 7. Risk Management
 8. Airport
 9. Communications
 10. Contract Administration
 11. Fleet Management
 12. Sanitary Landfills
 13. Purchasing

- 14. Buildings and Grounds
 - 15. Special Projects
 - 16. Veterans' Services
 - 17. Printing and Supply
 - 18. GIS
- B. Department of Health Services:
- 1. Public Health and Environment
 - 2. Health Board
 - 3. Hospital Board
 - 4. Ambulance Services
 - 5. Extension Service
 - 6. Fair Board
- C. Department of Planning Services:
- 1. Planning and Zoning
 - 2. Building Inspection
 - 3. Board of Adjustment
 - 4. Planning Commission
 - 5. Uniform Building Code Utility Board
- D. Department of Public Works:
- 1. Road and Bridge
 - 2. Engineering
 - 3. Pest and Weeds
- E. Department of Human Services:
- 1. Human Services (formerly Human Resources)
 - 2. Human Services Board
 - 3. Social Services
- (4) Addition to Section 2-1-120.E. Add last sentence to read: The Board of County Commissioners will consider any petition under one thousand dollars (\$1,000.00) where agreement was not reached between the Assessor and the Taxpayer.
- (5) Addition of Section 2-1-120.I. Delegation of authority concerning Geographic Information System products and services. The Board of County Commissioners approved the form of a license agreement and granted standing authority to the Chair of the Board to sign the agreement with various companies.
- (6) Addition of Section 2-1-180. Designation of particular public place for posting of public notices. Pursuant to Section 24-6-402(c), C.R.S., the Board of County Commissioners designated the bulletin

board in the third floor hallway of the Weld County Centennial Center, outside the Clerk to the Board's office, Room 317, as the public place for posting notices of public meetings.

- (7) Deleted General Administration Section, page 28, entitled, "Revision of Ordinances, Policies, or Manuals Which are Published by Department." (No longer applies since Weld County Code revisions and supplements will be method used.)
- (8) Amended Section 2-3-30.C.5 to read: The request for release of collateral shall be accompanied by "Warranty Collateral" in the amount of fifteen percent (15%) of the value the improvements as shown in the Improvements Agreement excluding improvements fully accepted for maintenance by the responsible governmental entity, special district or utility company.
- (9) Amended Section 2-3-60 as follows.
 - C. Each public notice published or distributed prior to the hearing should contain a sentence which states essentially as follows:

"If a court reporter is desired, please advise the Clerk to the Board, in writing, at least five (5) days prior to the hearing. The costs of engaging a court reporter shall be borne by the requesting party."
 - D. Pursuant to the Americans with Disability Act, each notice published or distributed prior to the hearing should contain a sentence which states the following:

"In accordance with the Americans with Disabilities Act, if special accommodations are required in order for you to participate in this hearing, please contact the Clerk to the Board's office at (970) 356-4000, Extension 4226, prior to the day of the hearing."
- (10) Amended Section 2-4-60.A.4 to read: The taxpayer is required to submit any supporting documentation regarding the petition to the Office of the Clerk to the Board and to the Weld County Assessor's Office at least seven (7) calendar days prior to the meeting date in order for it to be considered at said meeting. The burden by a preponderance of the evidence shall be on the taxpayer to show that the tax was levied erroneously or illegally, whether due to irregularity in levying or clerical error. The Assessor or, where appropriate, the Treasurer shall also have the opportunity to prepare and present evidence.
- (11) Deleted General Administration Section entitled "Aids Policy."
- (12) Section 2-9-60.B. Corrected reference from County shop at 933 N. 11th Avenue, Greeley, to Public Works Headquarters, 1111 "H" Street, Greeley, CO. Also changed references from "Road and Bridge" to "Public Works" throughout Section 2-9.
- (13) Added Section 2-9-90.G to read: Weld County Business Park administrative buildings.
- (14) Revised Section 2-12-90.A to read: The Board of County Commissioners has adopted the following policy for reimbursement for damage incurred during emergency, disaster or search-and-rescue situations:
- (15) Deleted Subsection 1.2 on page 39 of the General Administration Section entitled, "Industrial Revenue Bonds," which reads "The County will not employ the provisions of the 1967 County and Municipality Development Revenue Bond Act to industries presently located in other parts of the State of Colorado if the result of such act is to induce removal of these industries from their present location."

- (16) Revised Section 5-4-10.I.1 to read: Violate the Standard of Conduct or the Code of Ethics for a local government official or County employee as prescribed by Article 18 of Title 24, C.R.S.
- (17) Added Section 5-4-80.X. Equipment rental. The Director of General Services may approve rentals of short-term duration not to exceed thirty (30) days or ten thousand dollars (\$10,000.00).
- (18) Deleted last sentence of page 19 of the Purchasing Policies and Procedures Section, which reads "(In the case of elected officials, the only requisitions questioned would be those which, if filled, would cause a budget overrun)."
- (19) Deleted page 25 of the Purchasing Policies and Procedures Section, "Code of Ethics."
- (20) Replaced the entire Accounting Manual Section with Chapter 5, Article 5, as follows:

Section 5-5-10. Statement of Policy. The accounting and reporting policies of Weld County, Colorado, conform to generally accepted accounting principles as set forth by the American Institute of Certified Public Accountants, the National Council on Governmental Accounting, and Governmental Accounting Standards Board. The following is a summary of significant accounting policies.

Section 5-5-20. Basis of Presentation. Each fund is an independent fiscal and accounting entity with a self-balancing set of accounts recording cash and other financial resources together with all related liabilities, residual equities and balances which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions or limitations. In addition to the funds, a self-balancing account group is established to account for the general fixed assets of the County. The various funds are grouped into six (6) generic fund types under three (3) broad fund categories as follows:

Section 5-5-30 Governmental Funds. All governmental funds and expendable trust funds are accounted for on a spending or "financial flow" measurement focus. This means that only current assets and current liabilities are generally included on their balance sheets. The reported fund balance (net current assets) is considered a measure of "available spendable resources." Governmental fund operating statements present increases (revenue and other financing sources) and decreases (expenditures and other financing uses) in net current assets. Accordingly, they are said to present a summary of sources and uses of "available spendable resources" during a period.

- A. General Fund. The General Fund accounts for all financial transactions of the County that are not properly accounted for in other funds. Ordinary operations of the County such as public safety, county administration and other activities financed from taxes and general revenue are reflected in this fund.
- B. Special Revenue Fund. Special Revenue Funds are established to account for taxes or other earmarked revenue of the County which finance specified activities as required by law or administrative action.
- C. Capital Projects Funds. Capital Projects Funds are established to account for financial resources used for the acquisition or improvement of the capital facilities of the County.
- D. Special Assessment Funds. Special Assessment Funds are used to account for the financing of public improvements or services deemed to benefit the properties against which special assessments are levied.

Section 5-5-40. Proprietary Funds. All proprietary funds and pension trust funds are accounted for on a cost of services or "capital maintenance" measurement focus. This means that all assets and

liabilities (whether current or noncurrent) associated with their activity are included on their balance sheets. Its reported fund equity (net total assets) is segregated into contributed capital and retained earnings components. Proprietary fund type operating statements present increases (revenue) and decreases (expenses) in net total assets.

- A. Enterprise Funds. Enterprise Funds are established to account for goods and services provided to the general public.
- B. Internal Service Funds. Internal Service Funds are established to account for goods and services provided to other departments of the County on a cost reimbursement basis.

Section 5-5-50. Fiduciary Funds. Trust and Agency Funds. Trust and Agency Funds are established to record transactions relating to assets held by the County in the capacity of trustee, custodian or agent for individuals, governmental entities and non-public organizations. These include expendable trust, pension trust and agency funds.

Section 5-5-60. Financial statements. The General Purpose Financial Statements present a combined overview of all generic fund types and account groups of the County.

Section 5-5-70. Fixed assets, long-term liabilities, and long-term receivables.

- A. The accounting and reporting treatment applied to the long-term liabilities associated with a fund are determined by its measurement focus as discussed above.
- B. The County has long-term liabilities for accumulated sick and vacation leave and phone systems financed from governmental funds. They are accounted for in the General Long-Term Debt Account Group, not in the governmental funds.
- C. Noncurrent portions of long-term receivables due to governmental funds are reported on balance sheets, in spite of its spending measurement focus. Special reporting treatments are used to indicate, however, that they should not be considered "available spendable resources," since they do not represent net current assets. Recognition of governmental fund type revenue represented by noncurrent receivables is deferred until it becomes a current receivable. Noncurrent portions of long-term loans receivable are offset by fund balance reserve accounts.
- D. Basis of Accounting refers to when revenue and expenditures or expenses are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of the measurements made regardless of the measurement focus applied.
- E. The governmental funds and expendable trust funds utilize the modified accrual basis of accounting. Under this method, revenue is recognized in the year in which it becomes both measurable and available as net current assets.
- F. Revenue susceptible to accrual, that is, measurable and available to finance the County's operations, or of a material amount and not received at the normal time of receipt primarily consists of 1) state highway users tax; 2) property taxes, assessed in one year and payable in subsequent year; and 3) various routinely provided services (Ambulance and Health Department).
- G. Expenditures are generally recorded when the related fund liability is incurred. An exception to this general rule is that accumulated unpaid sick pay is not accrued.
- H. Proprietary funds and pension trust funds follow the accrual basis of accounting whereby revenue is recognized in the year in which it is earned and becomes measurable. Expenses are recorded when liabilities are incurred.

- I. Agency funds are custodial in nature (assets equal liabilities) and do not involve measurement of results of operations.
- J. Unbilled charges for services are recorded in the appropriate funds at year end.

Section 5-5-80. Encumbrances. Weld County utilizes the encumbrance method of recording commitments related to unperformed contracts for goods and services. Under this method, outstanding encumbrances at year-end are recorded as a reservation of fund balance since they do not constitute expenditures or liabilities. An appropriation is made in the subsequent year to provide authority to complete the transaction.

Section 5-5-90. Budget.

- A. An annual budget and appropriation ordinance is adopted by the Board of County Commissioners in accordance with the Colorado State Budget Act and Weld County Home Rule Charter. The budget is prepared on a basis consistent with generally accepted accounting principles for all governmental, proprietary and expendable trust funds. The accounting system is employed as a budgetary management control device during the year to monitor the individual departments (level of classification which expenditures may not legally exceed appropriations). All annual appropriations lapse at year end.
- B. The Director of Finance and Administration is authorized to transfer budgeted amounts within departments of each fund. Any revisions that alter the total appropriation for each department must be approved by the Board of County Commissioners through a supplemental appropriation ordinance.

Section 5-5-100. Investments. Investments of the pension trust funds are stated at the lower of cost or market.

Section 5-5-110. Property Taxes.

- A. Property taxes attach as an enforceable lien on property as of January 1. Taxes are levied on January 1 and payable in two (2) installments on February 28 and June 15, or in full on April 30. The County, through the Weld County Treasurer, bills and collects its own property taxes, as well as property taxes for all school districts, cities and towns, and special districts located within the County. In accordance with Section 14-7 of the Home Rule Charter, all ad valorem tax levies for County purposes, when applied to the total valuation for assessment of the County, shall be reduced so as to prohibit the levying of a greater amount of tax revenue than was levied from ad valorem taxation in the preceding year, plus five percent (5%), except to provide for the payment of bonds and interest. The Board of County Commissioners may submit the question of an increased levy to the County Council, and if in the opinion of a majority of the County Council, the County is in need of additional funds, the Council may grant an increased levy for the County in such amount as it deems appropriate, and the County is authorized to make such increased levy.
- B. However, no such excess levy shall be granted which will allow a greater revenue than would be produced by applying the previous year mill levy to the current year's assessed valuation. If the County Council does not grant an increased levy, or the increase is beyond that which the County Council is authorized to grant, the question may be submitted to the qualified electors of the County at a general or special election called for that purpose.
- C. Any one capital project requiring a capital expenditure out of funds procured by ad valorem taxation equal to a three-mill levy for three (3) years shall be prohibited unless approved by a

majority vote of the qualified electors at a general or special election per Section 14-8 of the Home Rule Charter.

Section 5-5-120. Inventories.

- A. Inventories of governmental funds, which consist of expendable materials held for consumption, are stated at cost determined by the weighted average. These funds follow the consumption method of accounting whereby expenditures are recorded at the time the inventory items are used.
- B. Inventories or proprietary funds are recorded at cost. Cost is determined by the average cost method.

Section 5-5-130. Interfund transactions.

- A. Interfund transactions resulting from reimbursements, operating transfers and charges for services rendered are recorded as due to or due from other County funds.
- B. Residual equity transfers represent nonrecurring or nonroutine transfers of equity between funds. All other interfund transfers are recorded as operating transfers. Authority for the interfund process was granted by resolution on December 20, 1978.

Section 5-5-140. Advance to other funds. Noncurrent portions of long-term interfund loans receivable (reported in "Advance to" asset accounts) are equally offset by a fund balance reserve account which indicates they do not constitute "available spendable resources" since they are not a component of net current assets. Current portions of long-term interfund loans receivable (reported in "Due From" asset accounts) are considered "available spendable resources."

Section 5-5-150. Sick leave and vacation pay.

- A. Sick-leave is earned when vested but recorded as an expenditure upon payment. In the event of retirement or termination, an employee whose date of hire is prior to January 1, 1985, is paid for fifty percent (50%) of accumulated sick-leave hours up to the equivalent of one (1) month. For employees hired after January 1, 1985, no pay-off will be made.
- B. Unused vacation time is forfeited once the employee exceeds two (2) years' accrual. Upon termination or retirement, employees are paid for their accrued vacation.

Section 5-5-160. Designated fund balance. Fund balance designated for a subsequent year's expenditures represents fund balance commitments for appropriated expenditures in excess of anticipated revenue for the year ending December 31.

Section 5-5-170. Grant revenue. Grant revenue is recognized to the extent of expenditures incurred. The portion of the total grant which has not been spent is reflected as unexpended grant revenue and is represented by cash and receivables, less related liabilities.

Section 5-5-180. Nonfederal in-kind contributions. Volunteers assist the various federally funded programs of the Human Resources Fund (a special revenue fund) in providing transportation and various other program functions. The volunteer labor is recognized as a contributed revenue at rates based upon the market rate of service provided. Volunteer mileage is recorded at thirty and one-half cents (\$0.305) per mile. Donated food, clothing and other goods are recognized as contributed revenue at its fair market value. Included as a separate program are the offsetting in-kind expenditures.

Section 5-5-190. Personal expense claim form.

- A. The personal expense claim form should be used by a County employee requesting reimbursement of expenses. The form should include the employee name, department, signature, department head or elected official's signature, and date. The details of expense are entered on Side Two of the form and summarized on Side One.
- B. The personal expense claim is completed and supporting receipts are attached to an input document and forwarded to Accounting for processing. If receipts supporting the expenses are not available, a notarized statement verifying the accuracy of the claims must accompany the personal expense claim form and the input document.

Section 5-5-200. Warrant release. The Department of Accounting processes daily warrants, for Commissioner approval at regular board meetings on Monday and Wednesday of each week. Warrants are distributed to departments and mailed after Board approval.

Section 5-5-210. Reissuance of warrants. In order to reissue a warrant which has been lost, misplaced or destroyed, it is required that the individual (or vendor) requesting the new warrant go through a two-week waiting period, starting with the mailing date. After the two-week waiting period, the Accounting Department puts a stop pay on the warrant. The reissue is then processed within twenty-four (24) hours and distributed in accordance with regular warrant distribution procedures.

Section 5-5-220. Petty Cash Funds.

- A. Petty cash funds are established by resolution for specific impressed amounts. They are intended to facilitate the purchase of small incidental items or services which are of an emergency nature. Petty cash funds are not to be used for loans to employees, employee personal expenses, as change funds, or to purchase goods or services that could be processed through the Department of Purchasing channels.
- B. When a petty cash fund is established, a primary custodian and one (1) or two (2) deputies will be appointed to handle the fund. The names of these custodians will be kept on file in the Accounting Office. The primary custodian is responsible for secure storage of funds.
- C. A uniform petty cash ledger will be maintained by the custodian of each petty cash fund. The petty cash ledger and instructions in the use of the ledger will come from the Accounting Office to ensure uniformity and internal control.
- D. Each petty cash fund will be audited by Accounting periodically and at year-end to ensure compliance and internal control. If noncompliance is discovered, the Comptroller will make recommendations to rectify the situation. In addition, the Finance Director will periodically review petty cash funds as to its justification for being, and act on any requests for new or increased petty cash funds, making recommendations for retention, establishment, enlargement or denial to the Board of County Commissioners.
- E. Abuse of the petty cash fund can result in the censure of the custodian and/or removal of the petty cash fund. If there is a question as to the use of the petty cash fund, the custodian should contact either his or her supervisor or the Accounting Office.

Section 5-5-230. Change funds.

- A. Change funds are established by resolution for specific amounts. They are established in areas where there is a volume of cash transactions, where it would be inconvenient to make a customer wait while his or her currency is changed to facilitate a small purchase. Change funds are not to be used for loans to employees, check cashing, "float" between petty cash funds or cash receipt funds.

- B. When a change fund is established, a primary custodian and one (1) or two (2) deputies will be appointed to handle the fund. The names of these custodians will be kept on file in the Accounting Office. The primary custodian is responsible for secure storage of funds.
- C. Each change fund will be audited by Accounting periodically and at year-end to ensure compliance and internal control. If noncompliance is discovered, the Comptroller will make recommendations to rectify the situation. In addition, the Finance Director will periodically review change funds as to its justification for being, and act on any requests for new or increased change funds, making recommendations for retention, establishment, enlargement or denial to the Board of County Commissioners.
- D. Abuse of the change fund can result in the censure of the custodian and/or removal of the change fund. If there is a question as to the use of the change fund, the custodian should contact either his or her supervisor or the Accounting Office.

Section 5-5-240. Revolving fund.

- A. Disbursements from the Revolving Fund include emergency expenditures requiring immediate payment, as well as travel and expense advances of one hundred dollars (\$100.00) or more.
- B. To request a check from the Revolving Fund, the department head must submit a Request for Revolving Fund Check Form to the Accounting Department for approval. Upon approval, Accounting will complete the form with the check date, number, amount and payee name. The request form will be kept on file in the Accounting Office. When reimbursement is received, it is recorded on the form.
- C. The Revolving Fund should be reimbursed no later than two (2) weeks after expenditures are realized.

Section 5-6-10. Fixed assets.

- A. Adequate accounting records of fixed assets are necessary in assuring proper control and maintenance of County assets. In addition, proper fixed asset accounting is necessary to permit financial reporting conformity.
- B. All fixed assets are valued at historical cost or estimated historical cost if actual historical cost is not available. Donated fixed assets are valued at their estimated fair value on the date donated.
- C. Fixed assets used in governmental fund type operations (general fixed assets) are accounted for in the General Fixed Assets Account Group, rather than in governmental funds. Acquisition of general fixed assets are recorded as capital outlay expenditures within the governmental funds. Public domain ("infrastructure") general fixed assets consisting of roads, bridges and rights-of-way are not capitalized. No depreciation is taken on general fixed assets.
- D. Depreciation of all exhaustible fixed assets used by proprietary funds is charged as an expense against its operations. Accumulated depreciation is reported on proprietary fund balance sheets. Depreciation is determined using the straight line method over the estimated useful life, as follows:

Buildings	30 years
Land Improvements	20 years
Equipment and furniture	3-10 years

Section 5-6-20. General Fixed Assets. General fixed assets are those assets not related to a specific service or function. To insure thorough disclosure and sufficient detail, the financial section should include a schedule of fixed assets by function and activity and a schedule of changes in general fixed assets by function and activity. (GAAFR 80, p.53)

Section 5-6-30. Inventory. As department heads and elected officials are held responsible for the inventory assigned to their departments per Section 29-1-506, C.R.S., it is not necessary to follow certain guidelines to ensure an accurate inventory system.

Section 5-6-40. Moving of equipment.

- A. All county departments are required to inform Accounting of any changes in equipment location before the equipment is moved. Therefore, it is necessary to properly fill out a Salvage and Equipment Transfer form. The form must include:
 - 1. A brief description of the item(s) to be transferred.
 - 2. The inventory number(s) on the equipment.
 - 3. The signatures of any department head affected by the move.
- B. Departments are not responsible for filling out a Salvage and Equipment Transfer form for any new purchases as the fixed asset accountant will recognize those additions to inventory through an analysis of the capital outlay expenditure accounts.
- C. Annually, an inventory of all fixed assets will be conducted and the results filed with the Comptroller, per Section 29-1-506, C.R.S.

(21) Revised Section 17-4-10.B to read: All County department offices shall be open from 8:00 a.m. until 5:00 p.m., Monday through Friday, excluding holidays. At the discretion of an elected official or department head, public access to a County office may be restricted to no less than 8:30 a.m. to 4:30 p.m., Monday through Friday, except holidays, as long as such hours are posted for public information.

(22) Deleted #3 of the General Policies described in the Buildings and Grounds Section of the Administrative Manual.

(23) Revised Section 17-4-20 to read: Parking.

- A. Assignment of parking spaces. Fourteen (14) parking spaces are assigned to the courts, twelve (12) are assigned to Computer Services and six (6) are assigned to the Department of Buildings and Grounds. A parking space is assigned to each Centennial Center department head and elected official. The remainder of the parking spaces are assigned to County employees located at the Centennial Center according to seniority. The list of employees who desire a parking space is maintained by the Department of Personnel.
- B. A monthly fee set by the Board of County Commissioners must be paid by each individual parking in an assigned space. The monthly parking fee will be deducted from the individual's monthly salary.
- C. No exchange of parking spaces will be permitted.
- D. A parking space will be revoked if it is misused.
- E. Security within the garage is paramount. All rules will be strictly enforced.

- F. No trucks, campers, pickups with camper shells higher than the cab of the pickup or other similar vehicles will be permitted in the garage.
- G. The County will not pay tickets or fines for "over parking." These are the employee's personal responsibility.

(24) Revised Section 17-4-30 to read: Centennial Center and Courthouse after hours.

- A. The doors to the Centennial Center and Courthouse are open from 7:30 a.m. to 5:30 p.m., Monday through Friday, except for legal holidays. Picture I.D. cards have been issued to employees for the safety and well-being of all employees; and security guards and electronic security devices are in place to allow controlled access to the building. Employees working in the buildings or having a need to access the parking garage have been given security codes and keys to access the appropriate areas.
- B. In order for an employee to gain entrance to the Centennial Center or Courthouse after hours, on holidays or on weekends, when codes or keys are not in their possession, the employee must notify security ahead of the scheduled arrival time by calling 356-4000, extension 4836, and notifying the security guard of the time the employee will be seeking admittance.
- C. The employee is responsible for any nonemployed individual accompanying said employee and entering the building during off-duty hours.
- D. The conference rooms in the Centennial Center may be scheduled through the Commissioners' office for after-hours use by all County departments to conduct County business.

(25) Revised Section 17-4-40 to read: Island Grove rental policy. All buildings at Island Grove are managed by the City of Greeley. All rental arrangements must be made through the City of Greeley for those facilities.

(26) Deleted Paragraph #2, Rental Policy for the Library Meeting Room, from the Buildings and Grounds Section of the Administrative Manual.

(27) Revised Section 17-4-50.C.6 to read: The user must notify the security guard when the Chamber Room has been cleared.

(28) Deleted all references to Library Meeting Room in Section 14-4-80.

(29) Deleted page 13 of Buildings and Grounds Section of Administrative Manual entitled, "Access of Handicapped to all Weld County Buildings" and replaced with Section 17-4-110 to read: Accessibility in County buildings. County buildings shall comply, if necessary pursuant to federal law, with the Uniform Federal Accessibility Standards and the ADA Accessibility Guidelines for Buildings and Facilities.

(30) Deleted page 16 of Buildings and Grounds Section of Administrative Manual entitled "Smoking in County Buildings." (Duplication)

Section 8. Textual additions to the Code not previously adopted by the Board be, and hereby are, incorporated into the Weld County Code, as listed below.

- (1) Section 1-1-10. Designation and citation. This Code constitutes a compilation, revision and codification of ordinances and resolutions of the County of Weld, Colorado, of a general and permanent nature, and shall be known as the *Weld County Code*.
- (2) Section 1-1-20. Adoption of codes by reference. Codes may be adopted by reference, as provided by state law.

- (3) Section 1-1-30. Repeal of ordinances not contained in Code. All existing ordinances and portions of ordinances of a general and permanent nature which are inconsistent with any ordinance and resolution included in the adoption of this Code are hereby repealed to the extent of any inconsistency therein as of the effective date of the ordinance adopting this Code, except as hereinafter provided.
- (4) Section 1-1-40. The repeal of ordinances and parts of ordinances of a permanent and general nature by Section 1-1-30 of this Code shall not affect any offense committed or act done, any penalty or forfeiture incurred or any contract, right or obligation established prior to the time said ordinances and parts of ordinances are repealed.
- (5) Section 1-1-50. Ordinances and Resolutions saved from repeal. The continuance in effect of temporary and/or special ordinances and resolutions and parts of ordinances and resolutions, although omitted from this Code, shall not be affected by such omission therefrom, and the adoption of this Code shall not repeal or amend any such ordinance or part of any such ordinance. Among the ordinances and resolutions not repealed or amended by the adoption of this Code are ordinances:
 - A. Creating, opening, dedicating, naming, renaming, vacating, closing specific streets, alleys and other public ways.
 - B. Establishing the grades of specific streets, sidewalks and other public ways.
 - C. Prescribing through streets, parking and traffic regulations, speed limits, one-way traffic, limitations on loads of vehicles or loading zones.
 - D. Providing for local improvements and assessing taxes therefor.
 - E. Authorizing or relating to specific issuance of general obligation bonds or of specific local improvement district bonds.
 - F. Creating specific sewer and paving districts and other local improvement districts.
 - G. Making special assessments for local improvement districts and authorizing refunds from specific local improvement district bond proceeds.
 - H. Dedicating or accepting any specific plat or subdivision.
 - I. Calling or providing for a specific election.
 - J. Approving or authorizing specific contracts with the State, with other governmental bodies or with others.
 - K. Authorizing a specific lease, sale or purchase of property.
 - L. Granting rights-of-way or other rights and privileges to specific railroad companies or other public carriers.
 - M. Granting a specific gas company or other public utility the right or privilege of constructing lines in the roads, streets and alleys, or of otherwise using the roads, streets and alleys.
 - N. Granting a right or franchise to a specific company.
 - O. Appropriating money.
 - P. Levying or imposing taxes, charges, rates or fees.
 - Q. Establishing or classifying employee positions, setting salaries of County officers and employees or any personnel regulations, or regarding pension or retirement plans, funds or benefits.

- R. Rezoning property or amending the zoning map.
 - S. Of an administrative nature not in conflict or inconsistent with this Code.
- (6) Section 1-1-60. Changes in previously adopted ordinances. In compiling and preparing the ordinances of the County for adoption and revision as part of this Code, certain grammatical changes and other changes were made in one (1) or more of said ordinances. It is the intention of the Board of County Commissioners that all such changes be adopted as part of this Code as if the ordinances so changed had been previously formally amended to read as such.
- (7) Section 1-2-10. Definitions. The following words and phrases, whenever used in the ordinances of the County of Weld and/or any codification of the same, shall be construed as defined in this Section, unless a different meaning is intended from the context or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

Board of County Commissioners means the Board of County Commissioners of the County of Weld.

Charter means the Home Rule Charter adopted by the County of Weld, and any amendments thereto.

Code means the Weld County Code as published and subsequently amended, unless the context requires otherwise.

County means the County of Weld, Colorado.

County Commissioner means a member of the Weld County Board of County Commissioners.

C.R.S. means the Colorado Revised Statutes, including all amendments thereto.

Highway includes all roads, streets, highways, avenues, lanes, alleys, courts, places, squares, bridges, viaducts, tunnels, underpasses, overpasses, causeways or other public ways in the County which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this State.

Law denotes applicable federal law, the Constitution and statutes of the State of Colorado, the ordinances of the County and, when appropriate, any and all rules and regulations which may be promulgated thereunder.

May is permissive.

Oath shall be construed to include an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words *swear* and *sworn* shall be equivalent to the words *affirm* and *affirmed*.

Ordinance means a law of the County; provided that a temporary or special law, administrative action, order or directive may be in the form of a resolution.

Owner, applied to a building, land, motorized vehicle, animal or other real or personal property, includes any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety or any other person with a possessory interest in the whole or a part of said building, land, motor vehicle, animal or other real or personal property.

Person means natural person, joint venture, joint stock company, partnership, association, club, society, company, firm, corporation, business, trust or organization, or the manager, lessee, agent, servant, officer or employee of any of them.

Personal property includes money, goods, chattels, things in action and evidences of debt.

Property includes real and personal property.

Public place means any place subject to the primary control of any public agency, including but not limited to any park, road, street, public way, cemetery, schoolyard or open space adjacent thereto and any lake or stream.

Real property includes lands, tenements and hereditaments.

Sidewalk means that portion of a road or street between the curblineline and the adjacent property line intended for the use of pedestrians, excluding parkways.

State means the State of Colorado.

Tenant and *occupant*, applied to a building or land, includes any person who holds a written or oral lease of or occupies all or a part of such building or land, whether alone or with others.

Written includes printed, typewritten, mimeographed, electronic (E-Mail) messages, CD-ROM, electronic media or any other document otherwise reproduced in permanent form.

- (8) Section 1-2-20. Computation of time. The time within which an act is to be done shall be computed by excluding the first and including the last day; but if the time for an act to be done shall fall on Saturday, Sunday or a legal holiday, the act shall be done upon the next regular business day following such Saturday, Sunday or legal holiday.
- (9) Section 1-2-30. Title of office. Use of the title of any officer, employee, department, board or commission means that officer, employee, department, board or commission of the County, or his or her designated representative.
- (10) Section 1-2-40. Usage of terms. All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such peculiar and appropriate meaning.
- (11) Section 1-2-50. Grammatical interpretation. The following grammatical rules shall apply to this Code and to County ordinances.
 - A. Any gender includes the other genders.
 - B. The singular number includes the plural and the plural includes the singular.
 - C. Words used in the present tense include the past and future tenses and vice versa, unless manifestly inapplicable.
 - D. Words and phrases not specifically defined shall be construed according to the context and approved usage of the language.
- (12) Section 1-3-10. Section catchlines not part of Code. Chapter and article titles, headings, numbers and titles of sections and other divisions in this Code or in supplements made to this Code are intended to indicate the contents of the sections, articles and chapters, are inserted in this Code and in supplements to this Code for the convenience of persons using this Code, and are not part of this Code.
- (13) Section 1-3-20. Authorized acts. When this Code requires an act to be done by a County official or employee which may as well be done by an agent or representative as by the principal, such requirement shall be construed to include all such acts performed when done by such authorized agent or representative.

- (14) Section 1-3-30. Prohibited acts. Whenever this Code or any County ordinances any act or omission is made unlawful, it includes causing, allowing, permitting, aiding, abetting, suffering or concealing the fact of such act or omission.
- (15) Section 1-3-40. Purpose of Code. The provisions of this Code, and all proceedings under them, are to be construed with a view to effect their objectives and to promote justice.
- (16) Section 1-3-50. Effect of repeal of ordinances. The repeal of an ordinance shall not repeal the repealing clause of such ordinance or revive any ordinance which has been repealed thereby.
- (17) Section 1-3-60. Amendments to Code. Ordinances and parts of ordinances adopted by the Board of County Commissioners or by initiative or referendum after the adoption of this Code shall be adopted in the form of amendments to this Code, referring to the specific section or other portion of the Code being amended. All amendments should be in accordance with the supplementation/update schedule set forth in Section 1-3-70.
- (18) Section 1-3-70. Supplementation of Code.
 - A. The Board of County Commissioners shall cause supplementation of the printed version of this Code, and update of the website version thereof, to be prepared and printed and/or updated bi-annually, in accordance with the schedule in Section C below (or at any other time the Board of County Commissioners may deem necessary). All amendments to the Code adopted by the Board of County Commissioners, or amendment to the Code adopted by initiative or referendum, prior to the supplementation and since the previous supplementation, shall be included.
 - B. It shall be the duty of the Clerk to the Board, or someone authorized and directed by the Clerk to the Board, to keep up to date the one (1) certified copy of the book containing this Code required to be filed in the office of the Clerk to the Board for the use of the public, and provide certified copies of any portion thereof.
 - C. It shall be the duty of the Clerk to the Board to assemble all amendments to the Code which have been adopted subsequent to the previous supplementation. Deadlines for inclusion in the bi-annual supplements shall be as follows:
 - 1. Mid-Year Supplement:
 - a. April 1 - Drafts to CTB.
 - b. May 30 - Adoption by BOCC (3rd Reading).
 - c. June 15 - CTB to Colorado Code.
 - d. July 31 - Print & Update to Web and CD-ROM.
 - 2. End-of-Year Supplement:
 - a. October 1 - Drafts to CTB.
 - b. November 30 - Adoption by BOCC (3rd Reading).
 - c. December 15 - CTB to Colorado Code.
 - d. January 31 - Print & Update to Web and CD-ROM.
- (19) Section 1-3-80. Altering or tampering with Code; penalty. Any person who shall alter, change or amend this Code, except in the manner prescribed in this Article, or who shall alter or tamper with this

Code in any manner so as to cause the ordinances of the County to be misrepresented thereby, shall, upon conviction thereof, be punishable as provided by Section 1-4-20 hereof.

- (20) Section 1-3-90. Severability. The provisions of this Code are declared to be severable, and if any section, provision or part thereof shall be held unconstitutional or invalid, the remainder of this Code shall continue in full force and effect, it being the legislative intent that this Code would have been adopted even if such unconstitutional matter had not been included therein. It is further declared that, if any provision or part of this Code, or the application thereof to any person or circumstances, is held invalid, the remainder of this Code and the application thereof to other persons shall not be affected thereby.
- (21) Section 1-4-10. Corporate seal. A seal, the impression of which shall contain in the center images of a sugar beet, an oil lamp, a cow and a sheaf of wheat, with the words "Weld County" and the year "1861" arranged in a circle surrounding the images, shall be and hereby is declared to be the Seal of the County.
- (22) Section 5-1-10. Custody and management of funds. Moneys in the funds described in this Chapter shall be in the custody of and managed by the County Treasurer. The County Treasurer shall maintain accounting records and account for all of said moneys as provided by law. Moneys in the funds of the County shall be invested or deposited by the County Treasurer in accordance with the provisions of law. All income from the assets of any fund shall become a part of the fund from which derived and shall be used for the purpose for which such fund was created; provided that, except as otherwise provided in this Article, by other ordinances or laws or by this Code, the Board of County Commissioners may transfer out of any fund any amount at any time to be used for such purpose as the Board of County Commissioners may direct.
- (23) Section 5-1-20. General Fund.
 - A. The General Fund accounts for all financial transactions of the County that are not properly accounted for in other funds. Ordinary operations of the County such as public safety, county administration and other activities financed from taxes and general revenues are reflected in this fund.
 - B. The General Fund shall consist of all fixed assets of the County (to be separately designated in an account known as the General Fund Fixed Assets) not specifically belonging to any existing special fund of the County.
- (24) Section 5-1-30. Capital Expenditure Fund. The Capital Expenditure Fund accounts for various capital improvement projects on County property as required by Section 29-1-301, C.R.S.
- (25) Section 5-1-40. Special revenue funds.
 - A. Public Works Fund: The Public Works Fund records all costs related to County road and bridge construction and maintenance. This fund is also utilized for allocation of monies to cities and towns for use in their road and street activities.
 - B. Social Services Fund: The Social Services Fund accounts for the various public welfare programs administered by the County.
 - C. Conservation Trust Fund: The Conservation Trust Fund accounts for revenue received from the State of Colorado to be used for the acquisition, development and maintenance of new and existing conservation sites within Weld County. The funds are derived from the Colorado State Lottery.

- (D) Contingent Fund: The Contingent Fund records any property tax revenue levied by the Board of County Commissioners to cover reasonably unforeseen expenditures.
 - (E) Emergency Reserve Fund: This fund was established in accordance with State Constitution Amendment One (TABOR), passed November 3, 1992. The reserve can only be used for true emergencies as defined by the amendment. The funding level must be one percent (1%) of fiscal spending in 1993, two percent (2%) in 1994, and three percent (3%) in 1995 and fiscal years thereafter.
 - (F) Public Health Fund: The Department of Public Health and Environment provides health services to County residents. The fund reflects revenue and expenditures for health care, health education, health monitoring and other related activities.
 - (G) Human Services Fund: The Human Services Fund accounts for various federal and state human service grants. Primary funding agencies are DOL, HHS and CSA.
 - (H) Solid Waste Fund: This fund accounts for revenue received from a surcharge on dumping fees at solid waste disposal sites for the purpose of combating environmental problems and for further improvement and development of landfill sites within the County.
- (26) Section 5-1-50. Proprietary funds. Proprietary Funds are used only for those purposes allowed by law and are described as follows:
- A. Motor Vehicle Fund: This fund accounts for the revenue and costs generated by equipment and vehicles rented to the Public Works Fund and to various departments of other County funds.
 - B. Insurance Fund: This fund accounts for all insurance costs for the County. The program is a combination of insured risks and protected self-insurance risks.
 - C. Phone Services Fund: This fund accounts for all phone costs provided to the County and other outside agencies on a cost-reimbursement basis.
 - D. Health Insurance Fund: This fund accounts for the self-insured dental and vision plans offered to County employees.
 - E. Weld County Finance Corporation Fund: This fund accounts for the lease/purchase of County facilities. The only active lease is for the Human Services Building.
 - F. Ambulance Fund: This fund accounts for all the rescue unit fees and costs associated with the operation of a County-wide ambulance service for the citizens of the County.
- (27) Introductory sentence to Section 12-4-10. Purpose and intent. The purpose of this Article is as follows:
- (28) Introductory sentence to Section 12-4-20. Definitions. For the purpose of this Article, the following terms, phrases, words and their derivations shall have the meanings given herein:
- (29) Section 12-2-10. Definitions. As used in this Article, the following words have the meanings ascribed to them:
- Permittee* means that person holding a permit to discharge pollutants to state waters, with an obligation to perform certain sampling and analysis of said discharges to state waters.
- Supplier* means that person owning or operating a public water system, with an obligation to perform certain sampling and analysis of the drinking water being provided.

Section 9. Textual revisions to Ordinances previously adopted by the Board which were not included in the Administrative Manual, be, and hereby are, incorporated into the Weld County Code, as listed below.

- (1) Add Sec 2-3-100. Planning Commission Transcripts. It is the policy of the Board of County Commissioners that:
 - A. The Director of Planning shall record on electronic tape the hearings of the Planning Commission.
 - B. At times determined by the Director of Planning to be reasonable, the Director of Planning shall allow the applicants to listen to a tape recording of a hearing.
 - C. Recording and playback equipment shall be operated only by the Director of Planning or by the Department of Planning Services staff.
 - D. The Director of Planning shall charge a reasonable fee based on the costs of staff's time for operating playback equipment for persons who wish to listen, record or transcribe from a tape.
 - E. Anyone transcribing from a tape shall furnish the Director of Planning one (1) copy of the transcription without charge.
 - F. The Director of Planning may have staff prepare a transcript from a tape.
 - G. Transcriptions shall be sold for a fee based on: 1) cost of staff's time preparing the transcript; and 2) all direct costs of preparing copies.
- (2) Section 3-1-40. Definitions. Added introductory sentence to read: As used in this Chapter, the following words shall have the meanings set forth:
- (3) Section 3-1-60. Benefit table. Added introductory sentence to read: The following Table 3.3 describes benefits by employee type for County employees:
- (4) Revised Section 3-3-30.C to read: All suspicious individuals or activities should also be reported as soon as possible to a supervisor. An employee should not place himself or herself in peril. If an employee sees or hears a commotion or disturbance near his or her work station, he or she should not try to intercede or see what is happening.
- (5) Added Section 3-5-70. Hours of operation. The Board of County Commissioners hereby reserves to itself the authority to determine the hours of the day during which County offices will be open.
- (6) Added Section 3-5-80.E to read: The Board of County Commissioners hereby reserves to itself the authority to establish legal holidays for all County offices.
- (7) Added Section 3-9-90.A to read: The pay steps based on performance levels are described as follows:
- (8) Added Section 5-7-10. Permits, regulations and fees established. The following permits, fees and regulations are determined by the Board of County Commissioners:
 - A. Article II of this Chapter: Application and issuance fee for industrial development bonds, administered by the Department of Finance and Administration.
 - B. Article III of this Chapter: Sanitary landfill fees, administered by all private landfills with a certificate of designation, with a ten-percent surcharge paid to the County and deposited in the solid waste fund.
 - C. Appendix 5-A: Commercial Rental Schedule.
 - D. Appendix 5-B: Ambulance Service Fees.

- E. Appendix 5-C: Missile Site Park Fees.
 - F. Appendix 5-D: Miscellaneous fees for various County services.
 - G. Appendix 5-E: Rates for Clerk to the Board for transcripts of Board of County Commissioner hearings, copies of tapes or use of recording equipment, and sending records by fax.
 - H. Appendix 5-F: Geographical Information System (GIS) fee schedule for standard products, custom products, and digital data dissemination.
 - I. Appendix 5-G: Fees for health services, administered by the Department of Public Health and Environment.
 - J. Appendix 5-H: Liquor license fees administered by the Clerk to the Board.
 - K. Appendix 5-I: Clerk and Recorder fees.
 - L. Appendix 5-J: Permits and fees concerning land use applications administered by the Department of Planning Services.
 - M. Appendix 5-K: Permits and fees for processing and reviewing building and electrical permit applications administered by the Department of Planning Services.
 - N. Chapter 12, Article I of this Code: Fees for permits for temporary assemblages were established by resolution, at one hundred dollars (\$100.00).
 - O. Chapter 14, Article IV: Regulating the running-at-large of dogs, providing for seizure, impounding and other disposition thereof, administered by the Sheriff's Office.
 - P. The Board of County Commissioners adopted fees, as cited in Section 30-1-104 C.R.S., for service of civil process by the Sheriff's Office.
 - Q. In accordance with a memorandum of understanding dated May 7, 1980, with the City of Greeley, no planning or building inspection fees are charged the respective jurisdictions.
 - R. In accordance with a resolution adopted November 7, 1988, a finance charge of eighteen percent (18%) per annum will be assessed on all accounts receivable sixty-one (61) days in arrears, except Medicaid and Medicare accounts.
- (9) Added Section 5-7-20. Annual review. All fees shall be reviewed at least annually during the budget process.
 - (10) Added Section 5-7-30. Refund policy. There is no refund of County fees once paid. Any deposit to be refunded under one dollar (\$1.00) will not be refunded unless the party requests the refund in person, and then a petty cash payment will be made to avoid postage and handling charges in excess of the refund amount.
 - (11) Revised Section 11-1-10 to read: Definitions. For the purpose of this Article, the following terms, phrases, words and their derivations shall have the meanings given herein. Words not defined shall be given their common and ordinary meaning.
 - (12) Revised Section 11-1-320.B to read: By the County of any waivers granted pursuant to Section 11-1-460, after notice to the company and a hearing held pursuant thereto, establishing by a preponderance of the evidence that the finding relied on in granting said waiver has substantially changed.

- (13) Revised the first sentence of Section 11-1-330.C to read: No person shall procure information or data from subscribers' premises by use of the cable system without prior written authorization from each subscriber affected.
- (14) Revised Section 11-2-30 to read: The Board of County Commissioners may set a public hearing in the renewal application if it finds probable cause to believe that any one (1) of the factors contained in Section 12-2-40 below exists.
- (15) Added the following to Section 12-1-30.B:
 11. Fire protection services (off-site).
- (16) Added Section 12-2-10. Local licensing authority. The Board of County Commissioners shall act as the local licensing authority pursuant to the Colorado Liquor Code, to hold public hearings on the suspension or revocation of any license issued by it, and to conduct such other business authorized by the Board under the Colorado Liquor Code.
- (17) Revised Section 12-3-30.B to read: All small personal care boarding homes shall be in compliance with all applicable zoning, housing, fire, sanitary and all other codes and ordinances and ordinances of the municipality, County or city and county where the home is situated.
- (18) Deleted portions of Ordinance #143 for clarity and to avoid duplication, as follows:
 - A. Article I, Section II, "Authority."
 - B. Article III, "Severability."
- (19) Deleted Subsections 1.1 "Title" and 1.4 "Authority" of Ordinance #172 (Cistern Water).
- (20) Revised Section 12-3-20 to read: Scope. This article shall apply to any cistern proposed or used as a drinking water source for any building or structure, as defined in Chapter 23 of this Code, in unincorporated Weld County, which has not received a building permit (and maintained the building permit in effect) from the Building Inspection Department prior to May 1, 1993.
- (21) Section 3 of the Mixed Use Development Ordinance was not included in Weld County Codification Ordinance 2000-1, since it is not legislation of a general and permanent nature but consists only of background information, most of which was outdated at the time of codification. The "MUD Background Document" is available at the Department of Planning Services.

Section 10. Additions or amendments to the Code, when passed in the form as to indicate the intention of the Board of County Commissioners to make the same a part of the Code, shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 11. Ordinances adopted after this Ordinance that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to those provisions of the Code.

BE IT FURTHER ORDAINED by the Board if any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is for any reason held or decided to be unconstitutional, such decision shall not affect the validity of the remaining portions hereof. The Board of County Commissioners hereby declares that it would have enacted this Ordinance in each and every section, subsection, paragraph, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses or phrases might be declared to be unconstitutional or invalid.

The above and foregoing Weld County Code Ordinance 2000-1 was, on motion duly made and seconded, adopted by the following vote on the 28th day of December, A.D., 2000.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: /s/
Deputy Clerk to the Board

APPROVED AS TO FORM:

/s/
County Attorney

/s/
Barbara J. Kirkmeyer, Chair

/s/
M. J. Geile, Pro-Tem

/s/
George E. Baxter

/s/
Dale K. Hall

/s/
Glenn Vaad

First Reading: November 15, 2000
Publication: November 30, 2000, in the South Weld Sun
Second Reading: December 11, 2000
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Effective: January 2, 2001

COUNTY OF WELD
CODE TABLE OF CONTENTS

Volume 1

Chapter 1	General Provisions	1-i
	Article I Code	
	Article II Definitions and Usage	
	Article III General	
	Article IV Seal	
Chapter 2	Administration	2-i
	Article I Board Procedures	
	Article II General Policies	
	Article III Planning and Zoning Matters	
	Article IV Hearings	
	Article V Road and Bridge Policies	
	Article VI County Motor Vehicles	
	Article VII Equipment Management	
	Article VIII Disposition of Recovered Property	
	Article IX Winter Storm Emergency Operation Plan	
	Article X Greeley-Weld County Airport Authority	
	Article XI Island Grove Park Advisory Board	
	Article XII Miscellaneous Policies	
	Article XIII Weld County Addressing System	
	Article XIV Service Plans for Title 32 Special Districts (Including Metropolitan Districts)	
	Article XV Continuity of Government	
	Appendix Appendix 2-A U.S. Postal Service Standard Abbreviations	
	Appendix Appendix 2-B Weld County District Policy Schedule A	
	Appendix Appendix 2-C Model Service Plan for _____ Metropolitan District, Weld County, Colorado	
	Appendix Appendix 2-D (Repealed by Weld County Code Ordinance 2007-6)	
Chapter 3	Human Resources	3-i
	Article I General Provisions	
	Article II Employment Information	
	Article III Standards of Conduct	
	Article IV Discipline and Grievance	
	Article V Termination of Employment	
	Article VI Leave Time Benefits	
	Article VII Wages and Hours	
	Article VIII Health and Safety	
	Article IX Education and Training	
	Article X Pay Practices	
	Article XI Performance Evaluations	
	Article XII Payroll	

	Article XIII	Implementation of Federal Transit Administration Regulations on Drug Use And Alcohol Misuse	
	Article XIV	Implementation of Federal Motor Carrier Safety Administration Regulations on Drug Use and Alcohol Misuse	
	Appendix	Appendix 3-A Drug Use and Alcohol Misuse Service Providers and Answers for Questions	
		Appendix 3-B Effects of Alcohol Fact Sheet	
		Appendix 3-C Weld County Retired Employee Employment Contract	
Chapter 4	Reserved		
Chapter 5	Revenue and Finance		5-i
	Article I	General and Special Funds	
	Article II	Development Revenue Bond Policy	
	Article III	Solid Waste Management Surcharge	
	Article IV	Purchasing Policy	
	Article V	Accounting Policy	
	Article VI	Fixed Assets	
	Article VII	Permits and Fees	
	Article VIII	Capital Expansion Fee and Stormwater Drainage Infrastructure Fee	
	Appendix	Appendix 5-A Commercial Rental Schedule	
		Appendix 5-B 2004 Weld County Paramedic Services Fees	
		Appendix 5-C Missile Site Park Fees	
		Appendix 5-D Weld County Government Fees	
		Appendix 5-E Rates for Clerk to the Board	
		Appendix 5-F GIS Fee Schedule	
		Appendix 5-H Fees for 3.2% Beer License or Liquor License	
		Appendix 5-I Clerk and Recorder Fees	
		Appendix 5-J Land Use Application Fees	
		Appendix 5-K Building Permit and Electrical Permit Application Fees	
		Appendix 5-L Required Bid Amount	
		Appendix 5-M Department of Public Works Permit Application Fees	
		Appendix 5-N Development Impact Fees	
		Appendix 5-O Criminal Justice Records Retrieval	
Chapter 6	Law Enforcement		6-i
	Article I	Adoption of Model Traffic Code	
		<i>Division 1 General Provisions</i>	
	Appendix	Appendix 6-A Model Traffic Code Fine Schedule	
		Appendix 6-B Standard Plea Offers for Traffic Infractions	
Chapter 7	Emergency Medical Services		7-i
	Article I	General Provisions	
	Article II	Licenses and Permits	
	Article III	Ambulance Operation	
	Article IV	Ambulance Vehicle Requirements	
	Article V	Qualifications of Emergency Medical Technicians	
Chapter 7	Emergency Medical Services (cont'd)		

Article VI	EMS Providers Not Employed or Utilized by a County-Licensed Ambulance Service
Article VII	Suspension or Revocation of License or Permit
Article VIII	Countywide Emergency Service
Article IX	Enforcement

Chapter 8 Public Works..... 8-i

Article I	Snow Policy
Article II	Road Access Policy
Article III	Road Access Culverts
Article IV	Use of Borrow Ditches
Article V	Cattle Guards
Article VI	Miscellaneous Provisions
Article VII	Stormwater Management Programs
	<i>Division 1 Creation</i>
	<i>Division 2 General Provisions</i>
	<i>Division 3 Fees</i>
	<i>Division 4 Miscellaneous Provisions</i>
Article VIII	Transportation Element of Northern Colorado Regional Communities I-25 Corridor Plan
Article IX	Illegal Discharges and Illicit Connections to Storm Sewer System
Article X	Construction Site Stormwater Regulation
Article XI	Storm Drainage Criteria
	<i>Division 1 General Provisions</i>
	<i>Division 2 Drainage Planning Submittal Requirements</i>
Appendix	Appendix 8-A Snow Removal
	Appendix 8-B Road Access
	Appendix 8-C Cattle Guards
	Appendix 8-D Dust Controls and Seasonal Adjustment Factor
	Appendix 8-E Erie EPA Urban Area Stormwater Phase II
	Appendix 8-F Evans/LaSalle EPA Urban Area Stormwater Phase II
	Appendix 8-G Greeley EPA Urban Area Stormwater Phase II
	Appendix 8-H Erie Service Area Stormwater Utility Fees
	Appendix 8-I Evans/LaSalle Service Area Stormwater Utility Fees
	Appendix 8-J Greeley Service Area Stormwater Utility Fees
	Appendix 8-K Northern Colorado Regional Communities I-25 Corridor Plan, Chapter VI, Transportation Element
	Appendix 8-L Roadside Memorial Sign Application
	Appendix 8-M Memorial Signs

Chapter 9 Information Services 9-i

Article I	Information Services
Article II	Information Services Governance Committee
Article III	County Network and Internet Acceptable Use Policy
Article IV	Geographical Information System
Article V	GIS Governance
Article VI	GIS System Products and Services
Article VII	Workstation Remote Control Policy
Article VIII	Personal Computing Devices

Chapter 9	Information Services (cont'd)	
	Appendix	Appendix 9-A Information Services Functional Subcommittees
		Appendix 9-B Weld County Computer Security Request
		Appendix 9-C GIS Functional Subcommittees
		Appendix 9-D Weld County Government Computing Device Request Form
		Appendix 9-E Information Services Websense Internet Filter Removal Request
Chapter 10	Social Services.....	10-i
	Article I	Child Protection Citizen Review Panel Procedures and Conflict Resolution Process
Chapter 11	Franchises.....	11-i
	Article I	Cable Television
Chapter 12	Licenses and Permits.....	12-i
	Article I	Assembly Permits
	Article II	Liquor Licenses
	Article III	Small Personal Care Boarding Homes
	Article IV	Utility Permits
	Article V	Public Dance Hall, Booth, Pavilion or Other Place Where Public Dances Are Held
Chapter 13	Reserved	
Chapter 14	Health and Animals.....	14-i
	Article I	Littering
	Article II	Water Testing
	Article III	Cistern Water
	Article IV	Animals
	Article V	Rules and Regulations for Body Art Establishments
	Article VI	Domestic Septage
		<i>Division 1 Definitions</i>
		<i>Division 2 Domestic Septage Regulations</i>
		<i>Division 3 Enforcement</i>
	Article VII	Biosolids
		<i>Division 1 Definitions</i>
		<i>Division 2 Biosolids Regulations</i>
		<i>Division 3 Enforcement</i>
	Article VIII	Rules and Regulations for Methamphetamine Laboratory Cleanup
	Article IX	Noise
	Article X	Pandemic Health Emergency
	Appendix	Appendix 14-A Department of Public Health and Environment
Chapter 15	Vegetation.....	15-i
	Article I	Noxious Weed Management Enforcement Policy
	Article II	Enforcement of Plan
	Article III	Prescribed Burns
	Appendix	Appendix 15-A (Repealed by Weld County Code Ordinance 2007-10)
		Appendix 15-B (Repealed by Weld County Code Ordinance 2007-10)

Chapter 16	Reserved	
Chapter 17	Public Places	17-i
	Article I Roads, Streets and Sidewalks	
	Article II Public Parks	
	Article III Public Trails	
	Article IV County Buildings and Grounds	
	Article V Sanitary Standards for Jail Facilities	
	Article VI Prohibition of Solicitations in or Near a Publicly Maintained Street, Road or Highway	
Chapter 18	Reserved	
Index	I-1

COUNTY OF WELD
CODE TABLE OF CONTENTS

Volume 2

Chapter 19	Coordinated Planning Agreements.....	19-i
Article I	Platteville Plan	
Article II	Dacono, Firestone and Frederick Plan	
Article III	Dacono, Firestone, Frederick and Erie Procedures and Design Standards	
	<i>Division 1</i>	<i>Uniform Baseline Design Standards</i>
	<i>Division 2</i>	<i>Building Height, Orientation and Design</i>
	<i>Division 3</i>	<i>Landscaping</i>
	<i>Division 4</i>	<i>Lighting and Utilities</i>
	<i>Division 5</i>	<i>Setbacks</i>
	<i>Division 6</i>	<i>Signs</i>
	<i>Division 7</i>	<i>Street Standards</i>
	<i>Division 8</i>	<i>Referral and Enforcement Procedures</i>
Article IV	Reserved	
Article V	Keenesburg Plan	
Article VI	Reserved	
Article VII	Eaton Plan	
Article VIII	Reserved	
Article IX	Kersey Plan	
Article X	Reserved	
Article XI	LaSalle Plan	
Article XII	Fort Lupton Plan	
Article XIII	Ault Plan	
Article XIV	Longmont Plan	
Article XV	Hudson Plan	
Article XVI	Gilcrest Plan	
Appendix	Appendix 19-A	Intergovernmental Agreement Map for Platteville
	Appendix 19-B	Platteville Use Restrictions Upon Annexation
	Appendix 19-C	Intergovernmental Agreement Map for Dacono, Firestone and Frederick
	Appendix 19-D	Dacono-Firestone-Frederick Use Restrictions Upon Annexation
	Appendix 19-E	Intergovernmental Agreement Map for Keenesburg
	Appendix 19-F	Reserved
	Appendix 19-G	Intergovernmental Agreement Map for Eaton
	Appendix 19-H	Reserved
	Appendix 19-I	Intergovernmental Agreement Map for Kersey
	Appendix 19-J	Reserved
	Appendix 19-K	Intergovernmental Agreement Map for LaSalle
	Appendix 19-L	Intergovernmental Agreement Map for Fort Lupton
	Appendix 19-M	Intergovernmental Agreement Map for Ault

Appendix 19-N Intergovernmental Agreement Map for Longmont
 Appendix 19-O Intergovernmental Agreement Map for Hudson
 Appendix 19-P Town of Gilcrest Comprehensive Plan

Chapter 20	Road Impact Fees	20-i
Article I	Road Impact Fees	
	<i>Division 1 Findings</i>	
	<i>Division 2 General Provisions</i>	
	<i>Division 3 Imposition of Fee</i>	
	<i>Division 4 Independent Fee Calculation Study</i>	
	<i>Division 5 Capital Contribution Front End Agreement for Credits</i>	
	<i>Division 6 Benefit Areas</i>	
	<i>Division 7 Fee Refunds and Plan Review</i>	
Appendix	Appendix 20-A Service Area Road System	
	Appendix 20-B Service Area Road Capital Improvements Plan	
	Appendix 20-C Service Area Benefit Areas	
Chapter 21	Areas and Activities of State Interest.....	21-i
Article I	Administrative Regulations	
	<i>Division 1 Introductory and General Provisions</i>	
	<i>Division 2 Designation of Matter of State Interest</i>	
Article II	Permit Regulations	
	<i>Division 1 Permit Requirements</i>	
	<i>Division 2 Permit Application</i>	
	<i>Division 3 Permit Hearings</i>	
	<i>Division 4 Issuance, Revocation or Suspension of Permits</i>	
	<i>Division 5 Administration, Enforcement and Penalties</i>	
Article III	Site Selection and Construction of Major Facilities of a Public Utility	
	<i>Division 1 General and Introductory Provisions</i>	
	<i>Division 2 Designation of Site Selection and Construction of Major Facilities of a Public Utility</i>	
	<i>Division 3 Permit Program for Site Selection and Construction of a Major Facility of a Public Utility</i>	
Article IV	Site Selection and Construction of Arterial Highways, Interchanges, Collector Highways (Including Private Toll Roads and Toll Highways), Mass Transit and Rapid Transit Terminals, Stations and Fixed Guideways, and Areas Around Arterial Highways, Interchanges, Collector Highways (Including Private Toll Roads and Toll Highways), Mass Transit and Rapid Transit Terminals, Stations and Fixed Guideways	
	<i>Division 1 General and Introductory Provisions</i>	
	<i>Division 2 Designation of Site Selection and Construction of Arterial Highways, Interchanges and Collector Highways (Including Private Toll Roads and Toll Highways) and Mass Transit and Rapid Transit Terminals, Stations and Fixed Guideways</i>	
	<i>Division 3 Permit Program for Site Selection and Construction of Arterial Highways, Interchanges and Collector Highways (Including Private Toll Roads and Toll</i>	

		<i>Highways) and Mass Transit and Rapid Terminals, Stations and Fixed Guideways</i>	
		<i>Division 4 Permit Approval Criteria</i>	
		<i>Division 5 Application Submittal Requirements</i>	
Chapter 22	Comprehensive Plan.....		22-i
	Article I	General Provisions	
		<i>Division 1 Preface</i>	
		<i>Division 2 General Provisions</i>	
	Article II	Types of Land Use	
	Article III	Land Use Amenities	
	Article IV	Environmental Resources	
	Article V	Natural Resources	
	Article VI	Economic Development	
Chapter 23	Zoning.....		23-i
	Article I	General Provisions	
	Article II	Procedures and Permits	
		<i>Division 1 Amendments to Zoning Map</i>	
		<i>Division 2 Amendments to Chapter Text</i>	
		<i>Division 3 Site Plan Review</i>	
		<i>Division 4 Uses by Special Review</i>	
		<i>Division 5 Special Review Permits for Major Facilities of Public Utility or Public Agency</i>	
		<i>Division 6 Flood Hazard Development Permit</i>	
		<i>Division 7 Geologic Hazard Development Permit</i>	
		<i>Division 8 Procedures and Requirements of PUD District</i>	
		<i>Division 9 Fees</i>	
	Article III	Zone Districts	
		<i>Division 1 A (Agricultural) Zone District</i>	
		<i>Division 2 Residential Zone Districts</i>	
		<i>Division 3 Commercial Zone Districts</i>	
		<i>Division 4 Industrial Zone Districts</i>	
		<i>Division 5 E (Estate) Zone District</i>	
		<i>Division 6 PUD (Planned Unit Development) District</i>	
	Article IV	Supplementary District Regulations and Zoning Permits	
		<i>Division 1 Off-Street Parking and Loading Requirements</i>	
		<i>Division 2 Signs</i>	
		<i>Division 3 Mobile Homes and Manufactured Structures</i>	
		<i>Division 4 Open Mining</i>	
		<i>Division 5 Supplementary Regulations for Certain Uses by Special Review</i>	
		<i>Division 6 Wind Generators and Permitting Requirements</i>	
		<i>Division 7 Repealed</i>	
		<i>Division 8 Miscellaneous Regulations</i>	
		<i>Division 9 Commercial Towers</i>	
		<i>Division 10 Semi-Trailers as Accessory Storage</i>	
		<i>Division 11 Parking and Operation of Commercial Vehicles</i>	
	Article V	Overlay Districts	

	<i>Division 1</i>	<i>A-P (Airport) Overlay District</i>	
	<i>Division 2</i>	<i>Geologic Hazard Overlay District</i>	
	<i>Division 3</i>	<i>Flood Hazard Overlay District</i>	
	<i>Division 4</i>	<i>Planned Unit Development Overlay District</i>	
Article VI	Board of Adjustment		
Article VII	Nonconforming Lots, Uses and Structures		
Article VIII	Vested Property Rights		
Article IX	Adult Business, Service or Entertainment Establishment		
Article X	Enforcement		
Appendix	Appendix 23-A	Design Requirements for Off-Street Parking	
	Appendix 23-B	Number of Off-Street Parking Spaces Required	
	Appendix 23-C	Permitted Signs by Type and Zone District	
	Appendix 23-D	Number and Dimensions of Individual Signs by Zone District and Type	
	Appendix 23-E	Permitted Sign Characteristics by Zone District	
Chapter 24	Subdivisions.....		24-i
Article I	General Provisions		
Article II	Minor Subdivision and Major Subdivision Process		
Article III	Minor Subdivisions		
Article IV	Major Subdivisions		
Article V	Resubdivision		
Article VI	Conformance Requirements		
Article VII	Subdivision Design Standards		
Article VIII	Exemptions		
Article IX	Improvements and Variances		
Article X	Fees, Violations and Penalties		
Appendix	Appendix 24-A	County Road System Standards	
	Appendix 24-B	Minor Subdivision Final Plat Certificates and Seals	
	Appendix 24-C	Major Subdivision Final Plat Certificates and Seals	
	Appendix 24-D	Repealed	
	Appendix 24-E	Roadway Cross-Sections	
	Appendix 24-F	Recorded Exemption Plat Certificates	
	Appendix 24-G	Resubdivision Plat Certificates	
Chapter 25	Reserved		
Chapter 26	Regional Urbanization Areas.....		26-i
Article I	Regional Urbanization Areas ("RUAs")		
Article II	I-25 RUA		
Article III	Southeast Weld RUA		
Appendix	Appendix 26-A	Acronyms and Abbreviations	
	Appendix 26-B	Existing and Proposed Service Providers	
	Appendix 26-C	Structural Land Use Densities	
	Appendix 26-D	Design Consideration for Subdivisions	
	Appendix 26-E	Common Open Space for Land Use Categories	
	Appendix 26-F	Common Open Space and Maximum Lot Coverage	

	Appendix 26-G Listing of Plant Materials	
	Appendix 26-H Berming and Screening Parking	
	Appendix 26-I Screening Parking from Roadways	
	Appendix 26-J Screening Parking and Structures	
	Appendix 26-K I-25 Corridor Treatment	
	Appendix 26-L I-25 Corridor Treatment Travel Lane Viewpoint	
	Appendix 26-M I-25 Corridor Treatment Frontage Road Viewpoint	
	Appendix 26-N State Highway 119 Corridor Treatment	
	Appendix 26-O School Allocation Standards in the RUAs	
	Appendix 26-P PUD Plat Certificates	
	Appendix 26-Q I-25 Regional Urbanization Area Structural Plan, Map 2.1, Structural Land Use Map	
	Appendix 26-R Southeast Weld Regional Urbanization Area Structural Land Use Map	
Chapter 27	Planned Unit Development	27-i
	Article I General Provisions	
	Article II Performance Standards	
	Article III PUD Application Procedures and Requirements	
	Article IV PUD Sketch Plan: Step One	
	Article V PUD Change of Zone: Step Two	
	Article VI Development Guide Requirements	
	Article VII PUD Final Plan: Step Three	
	Article VIII Supplemental Procedures and Requirements	
	Article IX PUD Mapping Requirements	
	Article X Cluster PUD	
Chapter 28	Reserved	
Chapter 29	Building Regulations	29-i
	Article I General Provisions	
	Article II Code Standards	
	Article III Building Permits	
	Article IV Mechanical Permits	
	Article V Electrical Permits	
	Article VI Plumbing Permits	
	Article VII Mobile, Manufactured or Factory-Built Home Permits	
	Article VIII Permit Provisions	
	Article IX Additional Provisions	
	Article X Board of Appeals	
	Article XI Violations and Enforcement	
Chapter 30	Sewage Systems.....	30-i
	Article I General Provisions	
	Article II Administration and Enforcement	
	Article III Systems Contractor License	
	Article IV General Technical Requirements	
	Article V Component Design Criteria	
	Article VI Other Treatment Systems	

Article VII	Operation and Maintenance
Article VIII	General Prohibitions and Penalties
Article IX	Variance Procedure
Appendix	Appendix 30-A Quantities and BOD Strength of Sewage for Various Types of Uses
	Appendix 30-B Minimum Horizontal Distances in Feet Between Components of a Sewage Disposal System Installed After November 15, 1973, and Pertinent Ground Features
	Appendix 30-C Annual Free Water Surface Evaporation Map of Weld County Adapted From NOAA TR NWS 33
	Appendix 30-D Soil Classification System (Soil-Separate Size Limits)
	Appendix 30-E Textural Triangle Defining Twelve Textural Classes of the USDA (Illustrated for a Sample Containing 37% Sand, 45% Silt and 18% Clay)
	Appendix 30-F Notice of Maintenance Required for Certain Aspects of Individual Sewage Disposal System

TABLES

Code History Table.....	T-1
Administrative Manual Table.....	T-51
Disposition of Ordinances Table.....	T-61
Table of Up-to-Date Pages.....	T-201

INDEX

.....	I-1
-------	------------