

EXCAVATION/FILL PERMIT
TOWN OF EMPIRE, CO
(303) 569-2978 • (303) 569-2282 (Fax)
clerk.empiregov@skybeam.com

Date: _____ Application No. _____ Permit No. _____

APPLICANT
NAME _____ Phone _____

MAILING ADDRESS _____

LOCATION OF WORK _____

SIZE (width, length, depth and grade) _____

REASON FOR WORK _____

TYPE OF SURFACE TO BE CUT (EXCAVATION) _____

TIME SCHEDULE:

START DATE _____ LENGTH OF TIME EXCAVATION WILL REMAIN OPEN _____

DATE CUT WILL BE BACKFILLED _____ PAVED OR REPAVED _____

DATE ALL WORK WILL BE COMPLETED _____

STREET ADDRESSES OF ALL ABUTTING PROPERTY WHICH WILL BE AFFECTED (applicant must notify 24 hrs. in advance of work)

The applicant hereby requests the Town of Empire to issue permit to:

APPLICANT _____
(If different from owner-*also must submit Landowner Authorization Form)

- I certify that the information I have provided is true and correct to the best of my knowledge.
- I have read, understand, and will comply with the above information and attached documentation.
- Any and all changes to the proposed excavation/fill require notification of the Town's Public Works Department.

Owner/Applicant _____ Date _____

OR TOWN USE ONLY:

APPROVED: _____
Date _____

FEE PAID _____ DATE PAID _____ RECEIPT # _____ RECEIVED BY _____

ACCEPTED: _____
Town Clerk _____ Date _____

TOWN OF EMPIRE
Clear Creek County, Colorado
2012

AN ORDINANCE OF THE BOARD OF TRUSTEES
FOR THE TOWN OF EMPIRE, COLORADO
AMENDING ORDINANCE 170, THE EMPIRE LAND DEVELOPMENT CODE

WHEREAS, on May 8, 2007, the Empire Board of Trustees approved a full revision, included repeals of previous and conflicting ordinances, of Ordinance 170, the Empire Land Development Code; and

WHEREAS, per the request of and following meetings of the Planning Commission, the Council considered certain additional amendments to the Land Development Code, which would add a section for excavation permits, clarify parking requirements, and make certain corrections for syntax and consistency; and

WHEREAS, the Board of Trustees desires to amend Ordinance 170, the Empire Land Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF EMPIRE, STATE OF COLORADO, that Ordinance 170, the Empire the Land Development Code, be amended to read as follows:

Section 1. The Table of Contents is amendment to add the following:

Section 11 – Excavation Permits.....44

Section 2. The following section shall be added to Article V, Permits and Approval:

Section 11 – Excavation Permits.

- 11.1 No person shall excavate on public property within the Town of Empire without first acquiring an excavation permit from the Town Clerk.
- 11.2 Applicants must supply proof of liability insurance before an excavation permit can be issued.
- 11.3 There will be a fee for the excavation permit which will be set by resolution, and revised as necessary, by the Empire Board of Trustees.
 - 11.31 The Empire Board of Trustees can, upon request from private individuals, waive the fee.
- 11.4 Applicants are required to locate all underground facilities before they begin excavation.

Section 3. The Ord. 170 Fee Schedule shall be amended to add the following fee and notation:

	FEE	Article & Section	Page #
Excavation Permit	\$100*	Art. V, Sec. 11	44

*Pursuant to Article V, Sec. 11.3, this Fee can be changed by resolution.

Section 4. Article V, Section 6.5.1, Approval of Buildings, Site and Operational Plans – Approval, shall be amended to read as follows:

The Planning Commission shall conduct a study and investigation of the building, site and/or operational plans and comments from the Town’s Zoning Officer. If it is determined the proposed operational plans do not constitute a use by right, they may and shall give public notice and hold a public hearing thereon as provided in Article III. Section 7.

Section 5. Article VIII, Section 2.4, Off Street Parking Requirements – Determination of Need for R-C Commercial, shall be amended to read as follows:

<u>Use</u>	<u>Parking Requirement</u>
R-C Commercial	<u>Parking spaces at the numbers set forth below with a dimension per parking space of 9 ft. x 20 ft. If covered, the parking space(s) must have a clearance of at least 7 ft. Additional parking space shall be required for any new commercial use or expansion of any building that is expected to increase the present level of parking by 50% or more. Amount of necessary additional parking will be determined by the Planning Commission along the following guidelines:</u>

<u>Retail Stores, Customer Service Establishments, Businesses, and Professional Offices</u>	<u>1 space for every 300sq. ft. or less of G.L.A.</u>
---	---

<u>Churches</u>	<u>1 space for every 3 seats</u>
-----------------	----------------------------------

<u>Public Offices and Service Buildings</u>	<u>1 space per employee</u>
---	-----------------------------

<u>Hotels and Motels</u>	<u>1 space per room</u>
--------------------------	-------------------------

<u>Restaurants</u>	<u>1 space per table</u>
--------------------	--------------------------

Section 6. Article III, Section 2.3.1, Board of Adjustment- Variances, shall be amended to read as follows:

2.3.1 If the applicant complies strictly with the provisions of this Ordinance, he can make no reasonable use of his property; ~~or~~ and

Section 7. Article VII, Section 2.5.2(a), Building Location - Offsets from adjacent property lines, shall be amended as follows:

2.5.2(a) Commercial buildings with adjoining walls shall be permitted in the R-C District only insofar as they were in existence prior to the adoption of this Ordinance. In the event of the damage or destruction of any existing connected commercial building, such building may be rebuilt only to the extent that the new structure is of the same or smaller ~~and~~ dimensions of the original structure.

Section 8. Article VII, Section 5.3.1, Single Family Attached Residential R-2 District - Density, shall be amended to read as follows:

5.3.1 Minimum parcel area per ~~dwelling-unit~~ structure: four thousand eight hundred (4,800) square feet.

Section 9. Article VII, Section 8.6.1(a), Mobile Home District - Licensing and Inspection, shall be amended to read as follows:

8.6.1 (a) The fee will be accompanied by a ~~sight~~ site plan which will show utility locations, mobile home locations with addresses, and accessory structure locations on the property.

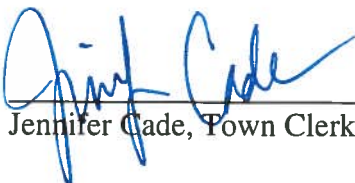
Section 10. Effective Date and Time. This Ordinance, as amended, shall become effective at 12:00 on the thirtieth (30th) day after publication in accordance with C.R.S. § 31-16-105.

INTRODUCED, READ AND PASSED ON FIRST READING at a Regular Meeting of the Board of Trustees of the Town of Empire, Colorado, held on the 16th day of October, 2012



Wendy Koch, Mayor

ATTESTED AND CERTIFIED:



Jennifer Cade, Town Clerk

APPROVED AS TO FORM:



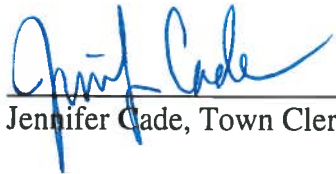
Nancy C. Rodgers, Town Attorney

PASSED, ADOPTED AND APPROVED, on second reading, by the Board of Trustees of the Town of Empire, Colorado, on the 20 day of November, 2012.



Wendy Koch, Mayor

ATTESTED AND CERTIFIED:



Jennifer Cade, Town Clerk

APPROVED AS TO FORM:



Nancy C. Rodgers, Town Attorney

**PROOF OF PUBLICATION
CLEAR CREEK COURANT
COUNTY OF CLEAR CREEK SS.
STATE OF COLORADO**

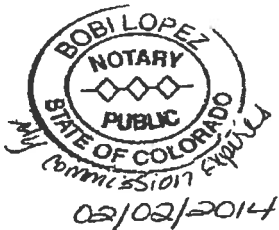
I, Tim Zeman, do solemnly swear that I am the Publisher of the **Clear Creek Courant** the same is a weekly newspaper printed and published in the County of Clear Creek, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said county of Clear Creek for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado. That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the **period of ONE consecutive insertion(s)** and that the first publication of said notice was in the issue of newspaper, dated **31st day of OCTOBER 2012** and the last on the **31st day of OCTOBER 2012**



Publisher, Subscribed and sworn before me, this
31st day of OCTOBER 2012



Notary Public.



**TOWN OF EMPIRE
CLEAR CREEK COUNTY,
COLORADO
NOTICE OF PUBLIC HEARING
Pursuant to C.R.S. Section 31 31-
16-203**

The Board of Trustees of Empire, Colorado, introduced and passed on first reading at their regular scheduled meeting on October 16, 2012, and hereby gives notice that a Public Hearing shall be held at the Empire Town Hall, 30 E. Park Ave., Empire, Colorado at 6:30 p.m. or as soon thereafter as the matter may be heard, on November 20, 2012, concerning the town's adoption of amendments to Ordinance 170 by title;

"This Ordinance establishes the regulations and standards governing the use and development of land within the Town of Empire. Included are provisions for the subdivision, annexation and zoning of land, as well as the administrative procedures governing the submission of applications, administrative and public reviews, and appeals. Also included are Town standards for site design, landscaping, parking, signage and public infrastructure".

The proposed amendments to the Ordinance may be inspected from 8:30 a.m. -11:30 a.m., Monday - Friday at the Empire Town Hall. Citizens are encouraged to give comments.

Dated this 22nd day of October.

Jennifer Cade
Town Clerk of Empire

Published in the Clear Creek
Courant October 31, 2012

**TOWN OF EMPIRE
CLEAR CREEK COUNTY, COLORADO
NOTICE OF PUBLIC HEARING**

Pursuant to C.R.S. Section 31 31-16-203

The Board of Trustees of Empire, Colorado, introduced and passed on first reading at their regular scheduled meeting on October 16, 2012, and hereby gives notice that a Public Hearing shall be held at the Empire Town Hall, 30 E. Park Ave., Empire, Colorado at 6:30 p.m. or as soon thereafter as the matter may be heard, on November 20, 2012, concerning the town's adoption of amendments to Ordinance 170 by title;

“This Ordinance establishes the regulations and standards governing the use and development of land within the Town of Empire. Included are provisions for the subdivision, annexation and zoning of land, as well as the administrative procedures governing the submission of applications, administrative and public reviews, and appeals. Also included are Town standards for site design, landscaping, parking, signage and public infrastructure”.

The proposed amendments to the Ordinance may be inspected from 8:30 a.m. -11:30 a.m., Monday – Friday at the Empire Town Hall. Citizens are encouraged to give comments.

Dated this 22nd day of October.

Jennifer Cade
Town Clerk of Empire

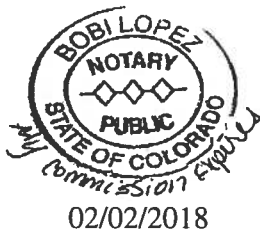
**PROOF OF PUBLICATION
CLEAR CREEK COURANT
COUNTY OF CLEAR CREEK SS.
STATE OF COLORADO**

I, Tim Zeman, do solemnly swear that I am the Publisher of the **Clear Creek Courant** the same is a weekly newspaper printed and published in the County of Clear Creek State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said county of Clear Creek for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado. That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the **period of ONE consecutive insertion(s)** and that the first publication of said notice was in the issue of newspaper, dated **7th day of May 2014** the last on the **7th day of May 2014**

Publisher, Subscribed and sworn before me, this
7th day of May 2014

Bobi Lopez

Notary Public.



**TOWN OF EMPIRE
CLEAR CREEK COUNTY,
COLORADO
NOTICE OF PUBLIC HEARING**

Pursuant to C.R.S. Section 31-16-203

The Board of Trustees of Empire, Colorado, introduced and passed on first reading at their regular scheduled meeting on April 15, 2014, and hereby gives notice that a Public Hearing shall be held at the Empire Town Hall, 30 E. Park Ave., Empire, Colorado at 6:30 p.m. or as soon thereafter as the matter may be heard, on May 20, 2014, concerning the town's adoption of the amendment to Ordinance 170 by title;

AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF EMPIRE, COLORADO AMENDING ORDINANCE 170, THE EMPIRE LAND DEVELOPMENT CODE, EXCLUDING MARIJUANA GROWING AS A HOME OCCUPATION

The proposed amendment to the Ordinance may be inspected from 8:30 a.m. -11:30 a.m., Monday – Friday at the Empire Town Hall. Citizens are encouraged to give comments.

Jennifer Cade
Town Clerk of Empire
Published in Clear Creek Courant
5-7-14

TOWN OF EMPIRE
Clear Creek County, Colorado
2014

**AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF EMPIRE,
COLORADO AMENDING ORDINANCE 170, THE EMPIRE LAND DEVELOPMENT
CODE, EXCLUDING MARIJUANA GROWING AS A HOME OCCUPATION**

WHEREAS, on May 8, 2007, the Empire Board of Trustees approved a full revision, included repeals of previous and conflicting ordinances, of Ordinance 170, the Empire Land Development Code; and

WHEREAS, per the request of and following meetings of the Planning Commission, including a public hearing, the Board considered certain additional amendments to the Land Development Code, which would add certain exclusions to the list of excluded home occupation related to marijuana growing; and

WHEREAS, the Board of Trustees desires to amend Ordinance 170, the Empire Land Development Code, consistent with the recommendations of the Planning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF EMPIRE, STATE OF COLORADO, that Ordinance 170, the Empire the Land Development Code, be amended to read as follows:

Section 1. Amendment. Article VIII, Section 4 – Home Occupations, 4.2 Excluded Uses is hereby amended to add the following subsections:

4.2.8 The growing of marijuana for persons other than those in the immediate household.

4.2.9 The growing of marijuana, regardless of the amount, for monetary gain.

Section 2. Effective Date and Time. This Ordinance, as amended, shall become effective on the thirtieth (30th) day after publication in accordance with C.R.S. § 31-16-105.

INTRODUCED, READ AND PASSED ON FIRST READING at a Regular Meeting of the Board of Trustees of the Town of Empire, Colorado, held on the 15th day of April, 2014



Wendy Koch, Mayor

ATTESTED AND CERTIFIED:



Jennifer Cade, Town Clerk

PASSED, ADOPTED AND APPROVED, on second reading and following public hearing, by the Board of Trustees of the Town of Empire, Colorado, on the 20 day of May, 2014.




Wendy Koch, Mayor

ATTESTED AND CERTIFIED:



Jennifer Cade, Town Clerk

APPROVED AS TO FORM:



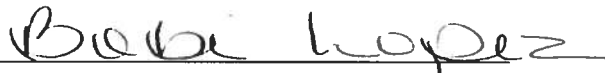
Nancy C. Rodgers, Town Attorney

**PROOF OF PUBLICATION
CLEAR CREEK COURANT
COUNTY OF CLEAR CREEK SS.
STATE OF COLORADO**

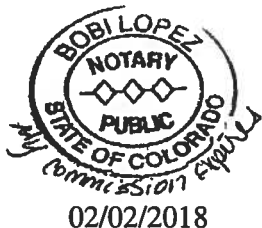
I, Tim Zeman, do solemnly swear that I am the Publisher of the **Clear Creek Courant** the same is a weekly newspaper printed and published in the County of Clear Creek State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said county of Clear Creek for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado. That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the **period of ONE consecutive insertion(s)** and that the first publication of said notice was in the issue of newspaper, dated **28th day of May 2014** the last on the **28th day of May 2014**



Publisher, Subscribed and sworn before me, this
28th day of May 2014



Notary Public.



**NOTICE
TOWN OF EMPIRE
ADOPTION OF AMENDMENT TO
ORDINANCE 170**

Notice is hereby given that the Empire Board of Trustees adopted an amendment to Ordinance 170, the Empire Land Development Code. The title of the amendment as follows:

AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF EMPIRE, COLORADO AMENDING ORDINANCE 170, THE EMPIRE LAND DEVELOPMENT CODE, EXCLUDING MARIJUANA AS A HOME OCCUPATION


This adoption occurred at the regular scheduled meeting of the Board of Trustees on May 20, 2014 at the Empire Town Hall, located at 30 E. Park Ave. Empire, Colorado.

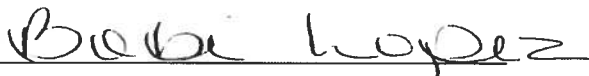
Jennifer Cade
Town Clerk of Empire

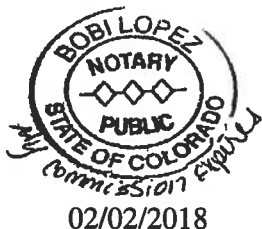
Published in the Clear Creek Courant on May 28, 2014

**PROOF OF PUBLICATION
CLEAR CREEK COURANT
COUNTY OF CLEAR CREEK SS.
STATE OF COLORADO**

I, Tim Zeman, do solemnly swear that I am the Publisher of the **Clear Creek Courant** the same is a weekly newspaper printed and published in the County of Clear Creek State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said county of Clear Creek for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado. That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the **period of ONE consecutive insertion(s)** and that the first publication of said notice was in the issue of newspaper, dated **7th day of May 2014** the last on the **7th day of May 2014**


Publisher, Subscribed and sworn before me, this
7th day of May 2014


Notary Public.



**TOWN OF EMPIRE
CLEAR CREEK COUNTY,
COLORADO
NOTICE OF PUBLIC HEARING**

Pursuant to C.R.S. Section 31-16-203

The Board of Trustees of Empire, Colorado, introduced and passed on first reading at their regular scheduled meeting on April 15, 2014, and hereby gives notice that a Public Hearing shall be held at the Empire Town Hall, 30 E. Park Ave., Empire, Colorado at 6:30 p.m. or as soon thereafter as the matter may be heard, on May 20, 2014, concerning the town's adoption of the amendment to Ordinance 170 by title;

AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF EMPIRE, COLORADO AMENDING ORDINANCE 170, THE EMPIRE LAND DEVELOPMENT CODE, EXCLUDING MARIJUANA GROWING AS A HOME OCCUPATION

The proposed amendment to the Ordinance may be inspected from 8:30 a.m. -11:30 a.m., Monday – Friday at the Empire Town Hall. Citizens are encouraged to give comments.

Jennifer Cade
Town Clerk of Empire
Published in Clear Creek Courant
5-7-14