

TOWN OF BLUE RIVER, COLORADO

ORDINANCE NO. 2025-06

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BLUE RIVER, COLORADO, AMENDING CONSTRUCTION MANAGEMENT REQUIREMENTS OF THE LAND USE CODE, ARTICLE 14 OF CHAPTER 16B OF THE MUNICIPAL CODE

WHEREAS, the Town of Blue River, Colorado (“Town”) is a statutory municipality incorporated and organized pursuant to the provisions of Section 31-2-101, et seq., C.R.S.; and

WHEREAS, the Board of Trustees for the Town of Blue River (“Board”) adopted in 2023 the Blue River Land Use Code (“LUC”) to govern and regulate the use of land within the Town; and

WHEREAS, the manner in which construction and development on a lot is undertaken is an important part of protecting the health, safety and welfare of the Town; and

WHEREAS, the Board of Trustees desires that new construction standards and requirements are imposed on all construction; and

BE IT ORDAINED by the Board of Trustees of the Town of Blue River, Colorado, as follows:

Section 1. Amendment of Article 15 of Chapter 16B of the Municipal Code. Article 15 of Chapter 16B of the Municipal Code, a part of the Land Use Code, is hereby amended to read in full as follows:

Article 14. Construction Management Requirements.

Sec. 16B-15-10. Purpose.

Construction within the Town of Blue River can significantly impact other owners, occupants, and visitors and create noise, traffic, smoke, and trash that degrade the environment and the natural character the Town seeks to preserve. This Article balances the reasonable need to engage in construction activities while protecting the environment, the natural character the Town, and protecting the health, safety, and welfare of the Town. Construction sites and construction operations undertaken under the authority of any Town-issued permit (including building permits) shall conform to the standard and requirement of this Article.

Sec. 16B-15-20. Responsibility for Compliance.

Owners engaged in the development or improvement of a *lot*, or who commission or cause others to perform the development or improvement of a *lot* such as but not limited to the Owner's contractors and subcontractors (collectively "contractors"), for which a permit is issued by the Town shall be responsible for compliance with this Article. In addition, contractors and others performing services on behalf of the owner may be held responsible for compliance for specific actions and activities that fail to comply with this Article. The Town reserves the right to enforce the requirements of this Article pursuant to the Municipal Code and this Land Use Code against either the owner of a lot, contractors and others those engaging in construction activity on behalf of an owner, or both.

Sec. 16B-15-30. Reserved.

Sec. 16B-15-40. Access and Parking.

- (a) Vehicles used in construction or improvement upon any *lot* shall gain access to the *lot* only from existing roads adjacent to the construction site.
- (b) Parking will not be allowed, at any time, on Town roads without prior approval from the Town. With Town approval, all vehicles must either be on the *lot* subject to development or improvement or parked on one side of the road in a manner which does not block a driveway, a road, or vehicles traveling on a road. In cases where the Town is engaged in snow removal operations, parking on a road shall be prohibited. As a condition of the Town's approval of parking, the Town may impose safety precautions deemed necessary by the Town to ensure safety, including, but not limited to, safety cones, barriers, and on-site traffic management by flaggers.

Sec. 16B-15-50. Blasting.

No blasting shall be performed on any property without the Town Manager's prior written consent. Notification of blasting shall be provided a minimum of 24 hours in advance of any blasting operations, and in all cases blasting shall occur only between the hours of 9:00 a.m. and 5:00 p.m. Blasting may be subject to conditions and restrictions, deemed necessary and determined by the Town Manager or Town Building Official in their sole and absolute discretion, and conditions or restrictions may vary from property to property.

Sec. 16B-15-60. Erosion Control and Vegetation Protection.

The Building Official shall not approve any proposed *construction activity* unless and until the activity has received Town approval of methods or practices to ensure erosion control and soil stabilization. If requested by the Town, the Owner is responsible for submitting a plan for methods and practices to the Town for erosion control and soil stabilization.

Sec. 16B-15-70. Construction Equipment and Material Storage.

Each Owner and contractors shall ensure that all construction material is stored in a designated materials storage area that is located to minimize the visual impact from adjacent properties and roadways.

Sec. 16B-15-80. Debris and Trash Removal.

Owners and their contractors shall be responsible for assuring that:

- (a) At the end of each day, all trash and debris on the *construction site* is cleaned up and stored in proper covered containers or organized and secured piles which will ensure that the trash and debris is not subject to wind or other conditions that may cause the trash and debris to be blown about the *construction site* or onto adjacent property or roads.
- (b) Dumpsters on the construction site which have reached the designated dumpster capacity or are otherwise full shall be promptly removed from the site and the contents disposed of at an authorized dumpsite off the construction site.
- (c) The *construction site* shall remain free of trash and debris keep a clean and orderly construction site. All trash and debris shall be properly disposed of at an authorized dumpsite located off the *construction site*.
- (d) All trash and debris which may attract wildlife shall either be removed from the site at the end of each workday or disposed of in a bear-proof trash containers available on-site.
- (e) Regardless of cause, it shall be unlawful and a violation of this Article for any trash or debris from the *construction site* to be leave the *construction site* and be deposited upon a public or private road or any adjacent property.

Sec. 16B-15-90. Construction Hours and Noise.

- (a) *Construction activities* shall occur only within the following hours, and it shall be unlawful for *construction activities* to be conducted outside of the following hours:

Monday through Friday: 7:30 AM – 6:00 PM

Saturday/Sunday: 9:00 AM – 5:00 PM

- (b) Entrance to work site for the purpose of organizing and setting up *construction activities* is permitted one half hour prior to Monday through Friday 7:00 AM and Saturday 8:30 AM. During such half-hour organization and set-up period, the operation of heavy equipment, compressors, impact tools, or any activity that creates noise that is audible to the occupants of an adjacent *lot* shall be prohibited.
- (c) At all times, the Owner and contractor shall use reasonable efforts to minimize noise resulting from construction activity.

Sec. 16B-15- 100. Construction Related Vehicle Travel.

Construction vehicles shall obey all posted speed limits and traffic regulations within the Town. During winter months, construction and delivery trucks must be capable of traveling mountain roads and be equipped with 4-wheel drive or equipped with chains.

Sec. 16B-15-110. Field Staking.

All building footprints, setback lines, and driveways, storage and lay-down areas shall be staked in the field. A licensed Colorado land surveyor shall stake the building footprint and setback lines.

Sec. 16B-15-120. Fire Protection.

At least one 10-pound ABC-rated dry chemical fire extinguisher shall be present and available in a conspicuous place on the construction site at all times. Fire protection is the Owner's responsibility, but the Town recommends that the Owner establish additional fire protection, the handling of combustible materials and suppression measures as part of an overall site safety program.

Sec. 16B-15-130. Prohibited General Practices.

All Owners will be responsible for the conduct and behavior of their representatives and contractors in the Town. The following practices are unlawful and shall constitute a violation of this Article:

- (1) Changing oil on any vehicle or equipment on the construction site;
- (2) Allowing concrete suppliers and contractors to clean their equipment on any Town property, roadway, right-of-way, ditch, easement, or property other than the construction site;
- (3) Removing any rocks, plant material, topsoil, or similar items from any property of others within Town;
- (4) Using disposal methods or units other than those approved by the Town;
- (5) Careless disposition of cigarettes and other flammable materials;
- (6) Disruptive activity including, but not limited to, public drinking, public nuisances, and disturbing the peace;
- (7) Working before or after the scheduled construction hours without prior permission;
- (8) Driving trucks with uncovered loads within the Town.

Sec. 16B-15-140. Roadway Maintenance

Owners and their contractors shall keep all Town roads and road rights-of-way free and clear of all materials, rubbish, and debris resulting from Owner's construction activity and will be responsible for the cost for any damage to roads, road rights-of-way, landscaping, and other streetscape improvements within the Town caused by Construction Vehicles used in connection with Owner's Construction Activity. No road cuts, deletions, or additions shall be made without a permit from the Town.

Sec. 16B-15-150. Sanitary Facilities

On-site, enclosed, chemical toilets must be available at all times when construction activity is taking place on a construction site. In no instance shall chemical toilets be placed within any road right-of-way or on any road.

Section 2. Severability. Should any one or more sections or provisions of this Ordinance or of the Code provisions enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance or of such Code provision, the intention being that the various sections and provisions are severable.

Section 3. Repeal. Any and all Ordinances or Codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such Ordinance or Code or part thereof shall not revive any other section or part of any Ordinance or Code provision heretofore repealed or superseded.

Section 4. Revision or Correction Authorized. The Town Manager, in consultation with the Town Attorney, is authorized to make minor revisions or corrections to the codified version of the provisions of this Ordinance provided that such revisions or corrections are

grammatical, typographical, or non-substantive and do not alter or change the meaning and intent of this Ordinance.

Section 5. **Effective Date.** The provisions of this Ordinance shall become effective thirty (30) days after publication following the final passage.

INTRODUCED, READ, AMENDED UPON PROPER MOTION, PASSED, ADOPTED, AND ORDERED PUBLISHED at a regular meeting of the Board of Trustees of the Town of Blue River, Colorado, held on the 15th day of April, 2025.

Mayor

ATTEST:

Michelle Eddy

Town Clerk

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