

CHAPTER 11

Streets, Sidewalks and Public Property

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ARTICLE I

General Provisions

Sec. 11-1-10. Definitions.

As used in this Chapter, the following words shall be interpreted and defined in accordance with the provisions set forth in herein:

City Engineer means the City's designated engineer as authorized by resolution, contract or other Council action, who performs the engineering functions as set forth in this Chapter.

Roadway Design and Construction Standards means the City's duly adopted Roadway Design and Construction Standards.

Storm Drainage Design and Technical Criteria manual means the City's duly adopted Storm Drainage Design and Technical Criteria manual. (Prior Subdiv. Res. 97-2 §§1201, 1203; Ord. 04-17 §1)

ARTICLE II

Storm Drainage Design and Technical Criteria

Sec. 11-2-10. Adoption; amendments.

The Douglas County Storm Drainage Design and Technical Criteria (the "Criteria"), as published in January, 1986, and Addendum A, Erosion Control Criteria (the "Addendum"), as adopted on October 27, 1992, are hereby adopted by the City, with the following exceptions:

(1) Where the term *Douglas County* or *County* is found, the term *City of Lone Tree* or *City* shall be substituted; for example, where the term *County Engineer* is used, the term *City Engineer* shall be substituted.

(2) Where the term *Board of County Commissioners* is found, the term *City Council* shall be substituted, unless the context refers to a specific action taken by the Douglas County Board of County Commissioners in its adoption and administration of the Criteria and the Addendum.

(3) Where the term *Douglas County Zoning Resolution* is found, the term *City of Lone Tree Zoning Ordinance* shall be substituted.

(4) Section 1.2 of the Criteria, "Jurisdiction," is not adopted.

(5) Chapter 4 of the Criteria, "Floodplain Regulations," is not adopted.

(6) Section A.1.2. of the Addendum, "Jurisdiction," is not adopted. (Ord. 97-1 Art. 2.1)

Sec. 11-2-20. Jurisdiction.

The Criteria and the Addendum shall apply to all land within the boundaries of the City. (Ord. 97-1, Art. 2.2)

Sec. 11-2-30. Floodplain regulations.

Floodplain regulations have been adopted as part of Chapter 16 of this Code. Floodplains are regulated as a Floodplain Overlay District as provided in Chapter 16, Article XIII of this Code. (Ord. 97-1 Art. 2.3; Ord. 04-17 §1)

Sec. 11-2-40. Purpose.

Pursuant to Section 31-16-205, C.R.S., the following description of the Criteria and the Addendum is provided: The purpose of the Douglas County Storm Drainage Design and Technical Criteria (the "Criteria") and Addendum A, Erosion Control Criteria (the "Addendum"), as amended on October 27, 1992, is to set forth drainage policy, floodplain regulation, enforcement and administrative procedures, and hydrologic and hydraulic criteria. The Criteria provide drainage standards and specifications for the planning, design and construction of improvements to new or existing storm drainage facilities, and include drainage planning submittal requirements, rainfall and runoff data, and standards for storm sewers, storm sewer inlets, streets, culverts and bridges, hydraulic structures, and detention and detention structures. Erosion and sedimentation control from construction activities and water quality enhancement are also covered. The Addendum includes a policy discussion and submittal and review specifications for an erosion control plan, erosion and erosion control concepts, rainfall performance standards and effectiveness, general design considerations for erosion control measures, nonstructural erosion control, structural sediment control, wind erosion control, small site erosion control and clearing, grading and land disturbance regulations. The Criteria and the Addendum were promulgated by the Douglas County Board of County Commissioners, 101 Third Street, Castle Rock, Colorado 80104. (Ord. 97-1 Art. 2.4)

ARTICLE III

Roadway Design and Construction Standards

Sec. 11-3-10. Adoption; amendments.

The Douglas County Roadway Design and Construction Standards, as amended in April, 1994 (the "Standards"), are hereby adopted by the City, with the following exceptions:

- (1) Where the term *Douglas County* or *County* is found, the term *City of Lone Tree* or *City* shall be substituted; for example, where the term *County Engineer* is used, the term *City Engineer* shall be substituted.

- (2) Where the term *Board of County Commissioners* is found, the term *City Council* shall be substituted, unless the context refers to a specific action taken by the Douglas County Board of County Commissioners in its adoption and administration of the Standards.

(3) Where the term *Department of Public Works, Road and Bridge Division, Engineering Division, or Inspection Department* is used, the term *City Engineer* shall be substituted.

(4) Section 1.2 of the Standards, "Jurisdiction," is not adopted. (Ord. 97-1 Art. 3.1)

Sec. 11-3-20. Jurisdiction.

The Standards shall apply to all land within the boundaries of the City. (Ord. 97-1 Art. 3.2)

Sec. 11-3-30. Stop work orders.

Any person, corporation, quasi-governmental agency, special district, mutual company, electric, gas or communication utility corporation, who, without first having obtained a permit and/or who having made a cut in a public right-of-way which has settled, has failed or which has not been repaired in conformance with established City standards, shall be subject to a "Stop Work Order" issued by the City whereupon that person, corporation or utility shall, except for emergency repair work, discontinue all work within public rights-of-way within the City until such time as the required repair has been satisfactorily completed. No further permits will be issued until the repair has been made, or the City reimbursed for its expenses. The City may, on its own initiative, make required repairs and bill the responsible contractor. Minimum charge shall be a three-hundred-dollar administrative charge, plus costs for labor, materials and equipment on a portal-to-portal basis. (Ord. 97-1 Art. 3.3)

Sec. 11-3-40. Purpose.

Pursuant to Section 31-16-205, C.R.S., the following description of the Standards is provided: The purpose of the Douglas County Roadway Design and Construction Standards, as amended in April, 1994, (the "Standards"), is to provide minimum design and technical criteria for the analysis and design of roadway facilities. These standards include submittal procedures for drawings and specifications, submittal requirements for construction plans, design and technical criteria for roadways, pavement, bridges and major drainage structures, criteria for record drawings, roadway inspection and testing procedures, construction guidelines, trench backfill/compaction guidelines, permit procedures and bonding requirements for contractors, acceptance procedures and requirements, utility locations, access requirements and criteria, cost estimating for public improvements, and policies concerning private roads. The Standards were promulgated by the Douglas County Board of County Commissioners, 101 Third Street, Castle Rock, Colorado 80104. (Ord. 97-1, Art. 3.4)

ARTICLE IV

Building Materials

Sec. 11-4-10. Temporary storage or staging of building materials on public streets and sidewalks.

(a) No person may place, locate, deposit, store or stage home improvement, construction or landscaping materials or other tangible property intended to be used on residential property for home

improvement, construction or landscaping purposes ("building materials") on a public street, as defined in Section 16-36-20 of this Code, or a public sidewalk without first obtaining a permit from the City.

(b) A person may submit to the City an application for a permit to temporarily store or stage building materials on a public street or sidewalk. The application shall:

(1) State the names of the owner and, if different from the owner, the occupant of the residence to which the building materials will be delivered.

(2) State the address of the residence to which the building materials will be delivered.

(3) Describe in detail the item or items to be stored or staged on the public street or sidewalk, the purpose for which the item or items will be stored or staged, and the area, including approximate dimensions, of the public street or sidewalk that will be occupied by the item or items; and

(4) State the length of time needed to store or stage the item or items.

(c) The City Manager or his or her designee shall review the application and may issue a permit, subject to conditions, intended to decrease any risk that the building materials may pose or to ensure that traffic or other lawful passage is not impeded on the public street or sidewalk. Conditions may include, but are not limited to, a time limit for storing or staging the building materials on the public street or sidewalk and a requirement that the applicant clean up and restore the storage or staging area after the building materials are removed. (Ord. 08-04 Art. 3)

Sec. 11-4-20. Enforcement.

The regulations in this Article shall be enforced by the City Police Department. (Ord. 08-04 Art. 3)

Sec. 11-4-30. Violations; penalties.

A violation of any provision of this Article shall be punishable by a fine of not more than five hundred dollars (\$500.00) per day per violation, plus court and administrative costs, as applicable. Each violation shall be deemed a separate offense for purposes of assessing a fine. In addition, the City may cause the removal of building materials, from a public street or sidewalk, that are located or stored in violation of this Article and the costs of such removal shall be imposed upon the owner of the building materials. (Ord. 08-04 Art. 3)