



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Agenda

Town Council

Tuesday, March 31, 2026

6:00 PM

Council Chambers

Study Session

[Link to Watch or Comment Virtually: www.erieco.gov/CouncilMeeting](http://www.erieco.gov/CouncilMeeting)

I. Discussion Items

[2026-221](#) Discussion - Proposed Energy Code Updates

Attachments: [Presentation](#)

[Colorado Association of Home Builders Letter](#)

6:00-6:45 p.m.

*Presenter(s): Joel Champagne, Deputy Building Official
Sarah Nurmela, AICP, Planning & Development Director*

[2026-237](#) Discussion of A Proposed Ordinance of the Town Council of the Town of Erie Consolidating all Provisions of the Erie Municipal Code Related to Penalties and Enforcement for Code Violations

Attachments: [DRAFT Ordinance](#)

6:45-7:15 p.m.

*Presenter(s): Sarah Nurmela, Director of Planning and Development
Breena N. Meng, Town Attorney*

[2026-238](#) Discussion of A Proposed Ordinance of the Town Council of the Town of Erie Adding a New Section 6-10-18 to the Erie Municipal Code to Regulate Sitting or Lying Down in Public Rights-of-Way

Attachments: [DRAFT Ordinance](#)

7:15-8:00 p.m.

*Presenter(s): Breena N. Meng, Town Attorney
Lee Mathis, Chief of Police*

[2026-240](#) Discussion of A Proposed Ordinance of the Town Council of the Town of Erie Adding a New Section 6-6-17 to the Erie Municipal Code to Regulate Unauthorized Camping in the Town

Attachments: [DRAFT Ordinance](#)

8:00-8:45 p.m.

*Presenter(s): Breena N. Meng, Town Attorney
Lee Mathis, Chief of Police*

X. Adjournment

8:45 p.m.

(The Town Council's Goal is that all meetings be adjourned by 10:30pm. An agenda check will be conducted at or about 10:00 p.m., and no later than at the end of the first item finished after 10:00 p.m. Items not completed prior to adjournment will generally be taken up at the next regular meeting.)

Translation Services

Persons planning to attend the meeting who need sign language interpretation, translation services, assisted listening systems, Braille, taped material, or other accommodation should email the Town Clerk's Office at TownClerk@ErieCO.gov or call 303-926-2710. Please submit requests at least 48 hours prior to the meeting.

Si requiere una copia en español de esta publicación o necesita un intérprete durante la reunión del Consejo, por favor llame a la Ciudad al TownClerk@ErieCO.gov o 303-926-2710. Por favor envíe sus solicitudes al menos 48 horas antes de la reunión.



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Town Council

Board Meeting Date: 3/31/2026

File #: 2026-221, **Version:** 1

SUBJECT:

Discussion - Proposed Energy Code Updates

DEPARTMENT: Planning & Development

PRESENTER(S): Joel Champagne, Deputy Building Official
Sarah Nurmela, AICP, Planning & Development Director

TIME ESTIMATE: 30 minutes
For time estimate: please put 0 for Consent items.

FISCAL SUMMARY:

N/A

POLICY ISSUES:

The Town of Erie's Sustainability Plan and Comprehensive Plan encourage adoption of the latest energy codes to minimize energy consumption and environmental impacts to the community. The Town Council will consider the best path forward for meeting the Plans' goals in balance with efficient implementation of updated energy codes.

STAFF RECOMMENDATION:

This is a discussion item for March 31. Staff take Council feedback and bring back the ordinance for consideration at a later Council meeting. For that later meeting, staff recommends preparing an update to the Town's energy and fire codes to include adoption of the 2024 International Energy Conservation Code (IECC) with amendments in concert with an update to the 2026 National Electric Code (NEC), and 2024 International Fire Code (IFC).

SUMMARY/KEY POINTS

- Staff propose adopting updated energy codes along with targeted strengthening amendments already included in the Town's 2021 IECC. The proposed update to the Town's energy code would include the 2024 IECC, 2026 NEC, and 2024 IFC.
- Per State legislation any code adopted on or after July 1, 2026, will require the adoption of the State's Model Low Energy Carbon Code (MLECC) as the base.
- Town staff recommend adopting the 2024 IECC with amendments prior to July 1, 2026 to

ensure continuity with the building community and allow for additional time to plan for implementation of the more complex MLECC or the Metro Cohort Model Code (MCMC).

BACKGROUND OF SUBJECT MATTER:

The Town utilizes the suite of building and energy codes published by the International Code Council (ICC) to regulate the built environment. These codes are updated on a regular basis by the ICC. Municipalities generally update their codes either on a three- or six-year cadence, following updates to the ICC. The Town of Erie aims to update codes similarly, as shown in the chart below.

Year Adopted or Planned for Adoption	2019	2023	2026	2029
Code Edition	2015 ICC Building & Energy Codes	2021 ICC Building & Energy Codes 2023 NEC	2024 ICC Energy Code & 2026 NEC	2027 ICC Building & State MLECC

As shown above, Erie currently utilizes the 2021 International Building Code (IBC), International Energy Conservation Code (IECC), and the 2023 National Electric Code (NEC). Colorado State law requires any municipality or county that updates any building code on or after July 1, 2026, to adopt and enforce an energy code that achieves equivalent or better energy and carbon emissions performance than the State’s MLECC. As shown above, Town staff plan to update the Energy and Electrical codes in 2026 to ensure progress towards the Town’s sustainability goals. In order to maintain predictability for builders and administrative efficiency, staff recommend updating the Energy code to the 2024 IECC in advance of July 1, 2026. Town staff would then work towards an implementation plan for future adoption of the MLECC or the MCMC.

Summary of Proposed Code Update

Staff propose an update to the Town’s energy code to the 2024 IECC with strengthening amendments, the electrical code to the 2026 NEC, and fire code to the 2024 International Fire Code (IFC) as recently adopted by the Mountain View Fire Rescue (MVFR). The proposed update would retain the Town’s previously adopted State Electric-Ready and Solar-Ready provisions along with a limited package of local and strengthening amendments that address continued electric-preference, enforceability, and local conditions.

The 2024 IECC represents incremental efficiency improvements over the 2021 edition and emphasizes envelope performance, mechanical efficiency, and lighting improvements without fundamentally restructuring the compliance framework. By comparison, the MLECC and MCMC energy code models described below introduce additional complexity, require new compliance methodologies, and alter enforcement processes.

Alternative Energy Code Options

Staff evaluated alternative adoption pathways, including the State’s MLECC and the MCMC. Both codes are designed to achieve higher greenhouse gas reductions than the 2024 IECC by requiring new development to be electric preferred and encouraging or requiring high-efficiency electric systems for space heating, water heating, and other major building end uses in place of fossil fuel-based equipment. They also include similar levels of energy efficiency as the 2024 IECC, with the primary differences being a more prescriptive, statewide framework with defined electrification and efficiency requirements for the MLECC and a collaborative regional model that provides greater flexibility, including optional pathways and local amendment opportunities for the MCMC.

Both codes also pose a potential cost savings both at construction and over time-with initial construction costs reduced by not installing natural gas infrastructure. With multiple large neighborhoods underway with infrastructure already in, the cost advantages in Erie would more likely be achieved with new developments not yet under construction.

While the Town will ultimately work towards adoption of one of these codes, staff recommend adoption of the 2024 IECC in 2026 because it:

- Provides a familiar compliance structure for builders, designers, and staff;
- Minimizes administrative complexity and enforcement challenges like updating currently approved plans and additional staff training to review and implement;
- Allows use of standard compliance tools like REScheck and COMcheck, which are broadly used by builders and designers to work with the IBCC codes but are not yet available for the State’s MLECC or MCMC; and
- Minimizes construction cost uncertainty for builders due to tiered performance requirements for larger homes and enhanced building envelopes required to meet standards in the MLECC.

Cost and Implementation Considerations

Town Council has expressed concern over the cost of new construction in the Town of Erie and how these costs are passed on to future homebuyers and businesses. Any update to the Town’s energy code could potentially increase costs for builders at time of construction; however, [the Department of Energy projects <https://www.regulations.gov/document/EERE-2024-BT-DET-0007-0001>](https://www.regulations.gov/document/EERE-2024-BT-DET-0007-0001) a savings of 6.6% reduction in costs for residential building energy consumption. Additionally, the National Association of Home Builders states that in the Front Range’s climate zone (5) that "*many compliance configurations actually show a net cost savings under 2024 IECC vs. 2021 IECC*" rather than a cost increase - due to revised prescriptive requirements and more flexible compliance options.

Requested Council Feedback

Staff is targeting adoption in April 2026 to ensure adequate time for public notice, stakeholder engagement, and implementation prior to the statutory date. Staff requests Council’s direction to move forward with the 2024 IECC or to prepare an alternative code update like the MLECC or MCMC. The update will also include the updated electric and fire codes.

File #: 2026-221, **Version:** 1

ATTACHMENT(S):

1. Presentation
2. Colorado Association of Home Builders Letter



Energy Code Update

Town Council Study Session
Joel Champagne, Deputy CBO

3/17/2026



Overview

- Proposed energy code updates
- State requirement and alternatives
- Feedback from Council



Scope and Intent of the Update

- Focus is on three targeted code adoptions rather than a full code cycle overhaul.
- Intent is to stay aligned with the Town's 2019 Sustainability Plan and 2024 Comprehensive Plan while minimizing disruption for staff and the building community.
- Reduce complexity and minimize impacts to permit applicants.



Timing

- Updating these select energy codes keeps Erie aligned with the most current safety and sustainability standards.
- Moves the Town towards its energy-efficiency goals and greenhouse gas reduction commitments.
- July 1, 2026, any jurisdiction that updates any portion of their building codes must adopt the State's Model Low Energy and Carbon Code (MLECC)



Proposed Update

- Staff recommend adopting the 2024 IECC while retaining previously adopted State required electric and solar ready code provisions.
- Include a small package of amendments to match local conditions and reduce enforcement complexity.
- Adopt the latest 2026 National Energy Code (NEC) and International Fire Code (IFC) recently adopted by the Mountain View Fire Protection District (MVFPD).



Benefits

- Improved energy performance and lower long term operating costs for residents and business owners.
 - 7.8 percent site energy savings
 - 6.6 percent energy cost savings
- Moves the Town towards its sustainability and greenhouse gas reduction goals.
- Ensures new construction is future-ready for electrification and renewable energy technologies.
- Net first cost savings under 2024 IECC vs. 2021 IECC



2021 IECC to MLECC

Climate Zone	All Electric House	Mixed Fuel House
CZ 4	(\$5,344)	(\$1,705)
CZ 5	\$12	(\$1,107)
CZ 6	\$8,915	\$7,796
CZ 7	\$6,908	\$5,789



Alternatives

- State Model Low Energy and Carbon Code (MLECC)
- Metro Cohort Model Code (MCMC)
- Challenges:
 - Changes to compliance structure for builders and requires additional training for staff to implement;
 - Compliance tools like REScheck and COMcheck are not yet available for the State's MLECC or MCMC; and
 - Construction cost uncertainty for builders due to tiered performance requirements & enhanced building envelopes



Council Feedback Requested

- Confirm whether staff should prepare an update to the 2024 IECC or an alternative code (State MLECC or MCMC)
- Confirm next steps:
 - Target adoption date: April/May 2026 to TC
 - Recommend adoption no later than July 1, 2026, to avoid State mandated change to MLECC
 - This allows adequate time for outreach and communication to building community



Questions & Discussion



March 16, 2026

CAHB Urges Awareness of July 1 Deadline Affecting Building Code Adoption and the Model Low Energy and Carbon Code

The Colorado Association of Home Builders (CAHB) is writing to provide information and guidance to local governments across the Denver metro region regarding the Model Low Energy and Carbon Code (MLECC) and an important statutory deadline that may affect upcoming building code adoption decisions.

Under current Colorado law, after July 1, 2026, any local jurisdiction that adopts or updates a building code must also adopt the Model Low Energy and Carbon Code (MLECC), or a more stringent standard, regardless of whether the update itself is related to energy provisions. Under this framework, routine building code updates, such as transitioning to the 2024 International Codes (I-Codes), would automatically trigger the requirement to adopt the state's model energy and carbon code if those updates occur after the July 1 deadline.

For communities already planning to adopt the 2024 I-Codes, CAHB recommends considering adoption prior to July 1, 2026, if feasible. Doing so allows jurisdictions to proceed with their planned building code updates without automatically triggering the state energy code requirement.

Housing attainability remains a critical issue across Colorado. National housing affordability research indicates that every \$1,000 increase in the price of a new home prices approximately 1,699 Colorado households out of the market. As policymakers evaluate new building code requirements, it is important to carefully consider how those policies may affect the cost of constructing new housing and the ability of families to enter the housing market.

CAHB has raised concerns that some provisions in the MLECC could make Colorado's energy code significantly more complex or unique than national model codes. Nearly 80% of new housing units along the Front Range are produced by national homebuilders operating in multiple states. If Colorado adopts a code that differs substantially from national standards, it could introduce uncertainty and additional costs that may ultimately reduce housing production in the state.

Another significant change proposed in the code involves shifting the primary compliance metric from energy cost to site energy. The IECC consensus committee intentionally maintained energy cost as the primary compliance metric to preserve fuel neutrality and provide flexibility in meeting efficiency goals. Moving to a site energy metric could unintentionally penalize specific fuel sources and skew market signals related to energy choices.

CAHB is also concerned about policies that may effectively encourage full electrification of residential construction. In colder climates such as Colorado, all-electric homes often require specialized cold-climate heat pump systems that can cost several thousand dollars more than traditional heating systems and may

increase winter utility costs for homeowners. Policymakers must also consider the broader impacts that increased electrification could have on Colorado's energy grid as electricity demand continues to grow.

Finally, it is important that any adopted energy code remain consistent with statutory requirements and federal law. State statute requires that the Energy Code Board not adopt provisions that exceed the stringency of the 2024 IECC, and courts across the country are currently evaluating legal challenges related to energy policies under federal law. Ensuring that Colorado's policies remain aligned with national standards will help avoid unnecessary regulatory uncertainty.

Accordingly, CAHB respectfully offers the following recommendations for local governments as they evaluate upcoming building code adoption decisions:

- Consider adopting the 2024 International Codes prior to July 1, 2026 to avoid automatically triggering the state's Model Low Energy and Carbon Code requirement.
- Encourage continued evaluation and refinement of the Model Low Energy and Carbon Code to ensure it balances energy efficiency goals with housing affordability and housing supply considerations.
- Support alignment with the unamended 2024 International Energy Conservation Code (IECC) to maintain consistency with national standards and provide greater certainty for builders and local code officials.

CAHB remains committed to working collaboratively with state and local governments to advance policies that improve energy efficiency while preserving housing attainability and maintaining a healthy housing supply across Colorado. We appreciate your consideration of these issues and welcome the opportunity to discuss them further.

Sincerely,



Ted Leighty
Chief Executive Officer
Colorado Association of Home Builders



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Town Council

Board Meeting Date: 3/31/2026

File #: 2026-237, **Version:** 1

SUBJECT:

Discussion of A Proposed Ordinance of the Town Council of the Town of Erie Consolidating all Provisions of the Erie Municipal Code Related to Penalties and Enforcement for Code Violations

DEPARTMENT: Planning & Development

PRESENTER(S): Sarah Nurmela, Director of Planning and Development
Breena N. Meng, Town Attorney

TIME ESTIMATE: 30 minutes
For time estimate: please put 0 for Consent items.

FISCAL SUMMARY:
N/A

POLICY ISSUES:

This item is for Council to provide guidance, policy consideration, and discussion. If Council would like to adopt an ordinance, that would occur at a future meeting.

STAFF RECOMMENDATION:

Approve the ordinance.

SUMMARY/KEY POINTS

As drafted, this ordinance would align the Erie Municipal Code with current case law and consolidate the penalties and enforcement provisions of the Code.

- Municipal penalties cannot impose fines or jail time more than the equivalent state offense.
- As drafted, the penalties are no longer listed with each offense, instead there is a separate penalty section for ease of reference.

BACKGROUND OF SUBJECT MATTER:

Currently, the Code has enforcement and penalty provisions throughout. Moving the provisions to one section of the Code is intended to provide additional clarity.

ATTACHMENT(S):

1. Ordinance

**Town of Erie
Ordinance No. ___-2026**

**An Ordinance of the Town Council of the Town of Erie
Consolidating all Provisions of the Erie Municipal Code Related to
Penalties and Enforcement for Code Violations**

Whereas, the Town Council finds it is in the best interest of the public health, safety and welfare to consolidate all provisions related to penalties and enforcement throughout the Erie Municipal Code and to comply with the recent Colorado Supreme Court decision *In re People v. Camp* and *In re People v. Simons*, 2025 CO 64 (Colo. Dec. 25, 2025).

Now Therefore be it Ordained by the Town Council of the Town of Erie, Colorado, as follows:

Section 1. Section 1-4-4 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

1-4-4 – General penalty.

A. *Violations:* It is unlawful for any person to violate any provision of this Code.

B. *Penalty:*

1. A violation of any provision of this Code shall be punished by a fine not to exceed two thousand six hundred and fifty dollars (\$2,650), imprisonment not to exceed three hundred and sixty-four (364) days, revocation, withholding, or suspension of a license, permit, or franchise, abatement, restitution for actual damage or loss caused, administrative sanctions, or any combination thereof. The Municipal Court shall establish a schedule of fines, more particularly stating the maximum penalties for each criminal and noncriminal violation of the ordinances of the Town, which shall be posted in accordance with C.M.C.R. 210(b)(5).

2. Any violation for which a Town penalty exceeds a maximum penalty amount for an identical state law offense shall be instead subject to the maximum penalty amount established in C.R.S. §§ 18-1.3-501(1)(a.5) and 18-1.3-503(1.5).

3. A person charged with a noncriminal violation shall not be entitled to a trial by jury. A person eighteen (18) years of age or older charged with a criminal violation may be entitled to a trial by jury upon meeting the requirements of C.M.C.R. 223.

4. A violation of the Model Traffic Code shall be subject to Section 6-11-12.

C. *Continuing violation:* A person shall be guilty of a separate offense for each and every day during any portion of which any violation is committed, continued, or permitted by any such person.

D. *Voluntary pleas:* Any voluntary plea of guilty or nolo contendere to the original charge or to a lesser or substituted charge shall subject the person to pleading to all of the fines and penalties applicable to the original charge.

Section 2. Section 1-4-5 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

1-4-5 – Juveniles.

Any person who at the time of the commission of a violation was at least ten (10) years of age, but not eighteen (18) years of age, and who is subsequently convicted of or pleads guilty or nolo contendere to a violation of any provision of this Code shall be punished by a fine of not more than one thousand dollars (\$1,000).

Section 3. Section 6-4-7 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

6-4-7 - Throwing missiles.

A. It is unlawful for any person to knowingly project any missile at or against any vehicle or equipment designed for transportation of persons or property.

B. It is unlawful for any person to knowingly project any missile at or against any public or private building without the consent of the owner.

C. It is unlawful for any person to knowingly project any missile at any person, unless done with the knowledge and consent of such person during a recognized athletic game and with a ball, puck, or other object used in such game for such purpose.

D. It is unlawful for any person to knowingly project any missile at or against a bicyclist.

E. As used herein, "missile" means any object or substance.

Section 4. Sections 6-6-12, 6-6-13 and 6-6-14 of the Erie Municipal Code are hereby repealed in their entirety and reenacted as follows:

6-6-12 - Theft by receiving.

It is unlawful to receive, retain, loan money by pawn, or pledge on, or dispose of anything of value of another, knowing or believing that the thing

of value has been stolen, and when he intends to deprive the lawful owner permanently of the use or benefit of the thing of value.

6-6-13 - Criminal tampering.

It is unlawful to tamper with property of another with intent to cause injury, inconvenience, or annoyance to that person or another person.

6-6-14 – Unlawful trash disposal.

It is unlawful to deposit, throw, or leave any litter, trash, or debris in the trash receptacle or container of a business intended only for use by the business, unless the owner or operator of the business has granted express permission to deposit, throw, or leave the litter in the trash receptacle or container.

Section 5. Section 6-8-10 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

6-8-10 – Disrupting lawful assembly.

It is unlawful for any person, intending to prevent or disrupt any lawful meeting, procession, or gathering, to significantly obstruct or interfere with the meeting, procession, or gathering by physical action, verbal utterance, or any other means.

Section 6. Section 6-8-12 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

6-8-12 – Threatening public official.

It is unlawful for any person to communicate threats of violence, reprisal, or any other injurious act to any public official, Town employee, or agent, who is engaged in the performance of his or her official duties.

Section 7. Section 6-10-10 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

6-10-10 - Public urination.

It is unlawful for any person to urinate in any public place where such conduct is likely to be viewed by any other person, unless such voiding is made into a receptacle that has been provided for that purpose that stores or disposes of the waste in a sanitary manner and that is enclosed from view of the general public.

Section 8. Section 6-11-12 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

6-11-12 – Violation and penalties.

A. *Violations:* It is unlawful to violate any provision of this Chapter or the Model Traffic Code adopted by this Chapter.

B. *Civil traffic infractions:* The penalty for a civil traffic infraction shall be a fine not to exceed one thousand dollars (\$1,000).

C. *Noncivil traffic offenses:* An individual eighteen (18) years of age or older convicted of a traffic offense may be incarcerated for a period not to exceed three hundred and sixty-four (364) days, or fined by an amount not to exceed two thousand six hundred and fifty dollars (\$2,650), or both, and a juvenile under the age of eighteen (18) years at the time of the offense may be fined by an amount not to exceed one thousand dollars (\$1,000).

D. *Zone increases.* Penalties for traffic infractions and offenses in a designated maintenance, repair, or construction zone pursuant to Section 614, in a designated school zone pursuant to Section 615, or in a designated wildlife crossing zone pursuant to Section 616, shall be double the penalty for such violation as set forth above.

E. *Overweight vehicles:* Upon conviction, entry of a guilty plea or a plea of *nolo contendere* to a violation related to the size, weight, or load of a vehicle or truck, the court may impose a fine not to exceed two thousand six hundred and fifty dollars (\$2,650) per count.

Section 9. Section 6-11-15 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

6-11-15 – False evidence of insurance.

It is unlawful to offer, use, or attempt to offer or use any means, manner, type of paper, document, card, digital image, or any other proof of motor vehicle insurance required by state and local law to a law enforcement officer, judge, prosecutor, or other Town employee with the intent to mislead that individual regarding the status of any motor vehicle liability insurance policy, where such means, manner, type, or kind of proof of insurance is known or should be known by the person to be false, fraudulent, or incorrect in any material manner or way, or which is known or should be known by the person to be altered, forged, defaced, or changed in any material respect, unless such changes are required or authorized by law.

Section 10. Section 6-11-19 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

6-11-19 – Engine compression or dynamic braking devices.

It is unlawful to operate a motor vehicle in the Town with an engine compression or dynamic braking device engaged, including without

limitation what are commonly referred to as "Jacob brakes" or "Jake brakes."

Section 11. Section 7-3-16 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

7-3-16 – Damage to trees.

A. *Repair.* Any person who injures, damages (including by excessive pruning or topping), or destroys any tree located on Town property or within a public right-of-way shall repair said damage to the satisfaction of the Town arborist.

B. *Damages.* If the Town arborist deems a tree or other woody plant to be damaged beyond repair, the responsible person shall compensate the Town either the lost monetary value of the tree or other woody plant, as determined by the current edition of "The Guide For Establishing Values of Trees and Other Plants" by the Council of Tree and Landscape Appraisers, or the cost of replacing the tree, as determined by the Town arborist.

C. *Cost recovery.* Any person causing removal of any tree or other woody plant from Town property or public right-of-way without a permit shall reimburse the Town for three (3) times the appraised value of said tree or other woody plant.

Section 12. Section 9-2-2 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

9-2-2 – Sewer tap required.

It is unlawful to construct, alter, or repair a building in the Town unless the sewer tap fee has been fully paid and satisfactory proof of such payment has been furnished to the Town.

Section 13. Chapter 10 of Title 10 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

Chapter 10 - Enforcement

10-10-1 – Violation and penalty.

A. It is unlawful to erect, construct, reconstruct, remodel, alter, maintain, expand, move, or use any land, building, structure, or sign in violation of any provision of this UDC or any permit or other approval issued under this UDC.

B. Each day that a violation of this UDC occurs or remains uncorrected shall constitute a separate and distinct violation.

C. A violation of this UDC shall be subject to the penalties set forth in Section 1-4-4. In addition to the penalties set forth in Section 1-4-4, a violation of this UDC shall be subject to the following:

1. The Director may deny, revoke or withhold all entitlements, including permits and certificates of occupancy, until the alleged violation is corrected. This provision shall apply whether or not the current owner or applicant is responsible for the violation.

2. With or without revoking permits, the Director may issue an order to stop work on any property on which there is an uncorrected violation of either a provision of this UDC or of an entitlement or other authorization issued under this UDC. The stop work order shall be in writing and posted at the site of the work and shall specify the alleged violations. After the stop work order has been posted, no work shall proceed on the building, structure, or land covered by such order, except to correct the violation or comply with the order.

Section 14. Section 10-12-7 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

10-12-7 – Permit transfer and inspection.

A. *Transfer of permits:* A permit may be transferred only with the prior consent of the Town Council. In approving any transfer, the Town Council must ensure: that the proposed transferee can and will comply with all the requirements, terms, and conditions contained in the permit and these regulations; that such requirements, terms, and conditions remain sufficient to protect the health, welfare, and safety of the public; and that an adequate guarantee of financial security can be made.

B. *Inspection and notifications to local government designee ("LGD"):*

1. *Inspection:*

a. The Town may enter and inspect any property subject to these regulations at reasonable hours for the purpose of determining whether the development is in violation of these regulations. The Town will attempt to provide reasonable notice of inspections, but reserves the right to conduct unannounced inspections.

b. Upon request, the operator shall make available to the Town all records required to be maintained by the following agencies: the Colorado Department of Public Health and Environment (CDPHE), including permits, Air Pollutant Emission Notices (APENs), and other documents; the Colorado Energy and Carbon Management Commission (ECMC); the Colorado Public Utilities Commission (PUC); the Occupational Safety and Health Administration (OSHA); and the Pipeline and Hazardous Materials Safety Administration (PHMSA).

2. *Notification to LGD:* In addition to any notice required by state law, operators shall provide notice of the following to the Town's LGD:

- a. Ten (10) days prior to removal of any tank or other equipment;
- b. Thirty (30) days prior to activities associated with plugging and abandonment of any well;
- c. Thirty (30) days following plugging and abandonment of a well, accompanied by a photograph of welded cap on well with API number of well, plaque, and GPS coordinates of the well;
- d. Thirty (30) days prior to planned maintenance activities and workover activities; and
- e. Thirty (30) days following maintenance activities taken in response to emergencies.

Section 15. Sections 1-4-6, 1-4-7, 1-4-16, 1-8-10, 1-9-15, 2-2-6, 2-11-5, 4-1-9, 4-5-8, 4-7-2, 4-12-3, 4-14-3, 4-15-9, 6-8-11(C), 6-11-4(C), 6-12-9, 6-12-10, 6-12-11, 6-12-12, 6-13-7, 7-3-14, 7-5-3, 7-6-16, 8-1-19, 8-2-13, 8-4-16, 8-5-11, 9-1-12, 10-10-2, 10-14-11, and 10-15-5 of the Erie Municipal Code are hereby repealed in their entirety.

Section 16. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 17. Safety. The Town Council finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 18. Effective Date. This Ordinance shall take effect 10 days after publication following adoption.

Introduced, Read, Passed and Ordered Published this ____ day of _____, 2026.

Andrew J. Moore, Mayor

Attest:

Debbie Stamp, Town Clerk



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Town Council

Board Meeting Date: 3/31/2026

File #: 2026-238, **Version:** 2

SUBJECT:

Discussion of A Proposed Ordinance of the Town Council of the Town of Erie Adding a New Section 6 -10-18 to the Erie Municipal Code to Regulate Sitting or Lying Down in Public Rights-of-Way

DEPARTMENT: Town Attorney
Police

PRESENTER(S): Breena N. Meng, Town Attorney
Lee Mathis, Chief of Police

TIME ESTIMATE: 45 minutes
For time estimate: please put 0 for Consent items.

FISCAL SUMMARY:
N/A

POLICY ISSUES:

This item is for Council to provide guidance, policy consideration, and discussion. If Council would like to adopt an ordinance, that would occur at a future meeting.

STAFF RECOMMENDATION:

SUMMARY/KEY POINTS

As drafted, the attached ordinance will make sitting or lying in a public right of way a noncriminal violation.

- As drafted, a warning is required prior to issuance of a citation or an arrest.

BACKGROUND OF SUBJECT MATTER:

Currently there are no municipal regulations addressing sitting or lying in the right of way.

ATTACHMENT(S):

1. Ordinance

**Town of Erie
Ordinance No. __-2026**

**An Ordinance of the Town Council of the Town of Erie Adding a
New Section 6-10-18 to the Erie Municipal Code to Regulate
Sitting or Lying Down in Public Rights-of-Way**

Whereas, the Town Council finds that it is in the best interest of the public health, safety, and welfare to regulate sitting or lying down in public rights-of-way.

Now Therefore be it Ordained by the Town Council of the Town of Erie, Colorado, as follows:

Section 1. The Noncriminal Violations Table in Section 1-4-6A of the Erie Municipal Code is hereby amended by the addition of the following:

6-10-18	Sitting or lying down in public rights-of-way
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Section 2. Chapter 10 of Title 6 of the Erie Municipal Code is hereby amended by the addition of a new Section 6-10-18, to read as follows:

6-10-18 – Sitting or lying down in public rights-of-way.

A. *Definition.* For purposes of this Section, *public right-of-way* means a street, sidewalk, trail, path, alley, parkway, curb, median, jersey wall, traffic island, or any other publicly owned property intended or used for pedestrian, recreational, or vehicular travel.

B. *Prohibition.* No individual shall sit, kneel, recline, or lie down upon the surface of any public right-of-way, or upon any bedding, chair, stool, or any other object placed upon the surface of the public right-of-way.

C. *Defense.* It is an affirmative defense to a violation of this Section if an individual:

1. Sits, kneels, reclines, or lies down upon the public right-of-way due to a medical emergency;
2. Utilizes a wheelchair, walker or other similar mobility supporting device to move about the public right-of-way;
3. Is operating or patronizing a commercial establishment located in the public right-of-way pursuant to any permit or license issued by the Town;
4. Sits or kneels on the public right-of-way when attending a parade, festival, performance, rally, demonstration, meeting, or similar

special event conducted in the public right-of-way pursuant to any permit or license issued by the Town;

5. Sits upon an object intended for sitting in the public right-of-way furnished by the Town or by any other public agency; or

6. Sits upon a public right-of-way at or near a transit stop while waiting for public transportation.

D. *Warning required.* No law enforcement officer shall issue a citation, make an arrest, or otherwise enforce this Section against any individual unless the individual has first been warned that the conduct violates this Section.

E. *Violation and penalty.* It is unlawful to violate any provision of this Section. Violations of this Section shall be subject to the noncriminal penalties set forth in Chapter 4 of Title 1 of this Code shall apply.

Section 3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 4. Safety. The Town Council finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 5. Effective Date. This Ordinance shall take effect 10 days after publication following adoption.

Introduced, Read, Passed and Ordered Published this ____ day of _____, 2026.

Andrew J. Moore, Mayor

Attest:

Debbie Stamp, Town Clerk



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Town Council

Board Meeting Date: 3/31/2026

File #: 2026-240, **Version:** 1

SUBJECT:

Discussion of A Proposed Ordinance of the Town Council of the Town of Erie Adding a New Section 6 -6-17 to the Erie Municipal Code to Regulate Unauthorized Camping in the Town

DEPARTMENT: Town Attorney
Police

PRESENTER(S): Breena N. Meng, Town Attorney
Lee Mathis, Chief of Police

TIME ESTIMATE: 45 minutes
For time estimate: please put 0 for Consent items.

FISCAL SUMMARY:
N/A

POLICY ISSUES:

This item is for Council to provide guidance, policy consideration, and discussion. If Council would like to adopt an ordinance, that would occur at a future meeting.

STAFF RECOMMENDATION:

SUMMARY/KEY POINTS

As drafted, the attached Ordinance for consideration will make camping, without authorization, a noncriminal violation.

- As drafted, this Ordinance would apply to public and private property.
- As drafted, before taking enforcement action, a written warning must be issued and shelter must be available.

BACKGROUND OF SUBJECT MATTER:

There is currently no camping ban on property within the Town.

ATTACHMENT(S):
Ordinance

**Town of Erie
Ordinance No. __-2026**

**An Ordinance of the Town Council of the Town of Erie Adding a
New Section 6-6-17 to the Erie Municipal Code to Regulate
Unauthorized Camping in the Town**

Whereas, the Town Council finds that it is in the best interest of the public health, safety, and welfare to regulate unauthorized camping in the Town.

Now Therefore be it Ordained by the Town Council of the Town of Erie, Colorado, as follows:

Section 1. The Noncriminal Violations Table in Section 1-4-6A of the Erie Municipal Code is hereby amended by the addition of the following:

6-6-17	Unauthorized camping
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Section 2. Chapter 6 of Title 6 of the Erie Municipal Code is hereby amended by the addition of a new Section 6-6-17, to read as follows:

6-6-17 – Unauthorized camping.

A. *Definitions.* For purposes of this Section, the following terms shall have the following meanings:

Camp or *camping* means the use of property for the purpose of unauthorized overnight or longer occupancy, or to reside temporarily in a place with shelter and conduct activities of daily living, such as eating, sleeping, making preparations to sleep, or to store personal possessions in such place, which shall include the use of a vehicle for overnight occupancy where overnight occupancy or overnight camping is not permitted, but shall exclude picnicking or temporary residence associated with the performance of governmental services.

Public property includes without limitation all property owned, leased, controlled, or maintained by the Town or by any other public entity in the Town, regardless of whether such property is vacant or occupied and actively used for any public purpose.

Shelter includes without limitation a tent, tarpaulin, lean-to, sleeping bag, bedroll, blanket, or any form of cover or protection from the elements other than clothing.

B. *Unauthorized camping on public property.* It is unlawful to camp on public property without first having obtained written permission from the Town or the public entity responsible for such public property.

C. *Unauthorized camping on private property.* It is unlawful to camp on private property without first having obtained written permission from the property owner or the property owner's agent; and even with such permission, camping may only occur in such locations where camping is permitted by law.

D. *Enforcement.* No law enforcement officer shall issue a citation, make an arrest, or otherwise enforce this Section unless:

1. The law enforcement officer has issued the person in a camp a written order to move from the camp and take their property with them by the date and time specified in the written order, and a warning that if the person fails to comply the person may be cited or arrested for violation of this Section;

2. Another shelter option is available for the person ordered to move from the camp and the person has been offered placement in the shelter; and

3. The person refuses to go to the offered shelter and the person refuses or fails to move from the camp location by the date and time specified in the written order.

4. Notwithstanding the foregoing, if a law enforcement officer determines that a camp or shelter constitutes an immediate and serious danger to the public health, safety, or welfare, or when a camp or shelter is located in, upon, or adjacent to a municipal storm sewer system or any body of water, and the person maintaining such camp or shelter fails to remove the camp or shelter immediately after being ordered in writing by a law enforcement officer, such person may be issued a citation and the camp or shelter and any associated personal property may be immediately removed.

E. *Proof of written permission.* Failure to provide proof of written permission upon request by a law enforcement officer shall be *prima facie* evidence that permission was not obtained.

F. *Violation and penalty.* It is unlawful to violate any provision of this Section. Violations of this Section shall be subject to the noncriminal penalties set forth in Chapter 4 of Title 1 of this Code shall apply.

Section 3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 4. Safety. The Town Council finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 5. Effective Date. This Ordinance shall take effect 10 days after publication following adoption.

Introduced, Read, Passed and Ordered Published this ____ day of _____, 2026.

Andrew J. Moore, Mayor

Attest:

Debbie Stamp, Town Clerk