

BOARD OF COUNTY COMMISSIONERS OF ARAPAHOE COUNTY, COLORADO

TUESDAY, April 22, 2025

At the regular meeting of the Board of County Commissioners for Arapahoe County, Colorado held at the Administration Building, 5334 South Prince Street, Littleton, Colorado on Tuesday, the 22nd day of April 2025 there were present:

Leslie Summey, Chair	Commissioner District 4	Present
Jeff Baker, Chair Pro Tem	Commissioner District 3	Present
Carrie Warren-Gully	Commissioner District 1	Present
Jessica Campbell	Commissioner District 2	Present
Rhonda Fields	Commissioner District 5	Present
Ron Carl	County Attorney	Present
Joan Lopez	Clerk to the Board	Absent and Excused
Cooney Sarracino	Clerk to the Board	Present
	Administrator	

All draft resolutions hereto presented to the Board, as may have been modified by Board review, are contained herein in final form as approved by the Board.

RESOLUTION NO.25-104 It was moved by Commissioner Campbell and seconded by Commissioner Baker to make the following appointments and reappointments to the following resident boards and committees representing Arapahoe County beginning April 22, 2025, for terms as prescribed below:

1. **18th Judicial District Juvenile Services Planning Committee.** Pursuant to CRS 19-2.5- 302, the Board recommends the following individuals be appointed by the Chief Judge of the 18th Judicial District for a one-year term:
 - a. 18th Judicial District Court Division 23
Arapahoe County Magistrate Beth Dumler, 303-645-6736,
Beth.Dumler@judicial.state.co.us
 - b. 18th Judicial District Attorney's Office
Rebecca Gleason, Deputy District Attorney, 720-874-8577,
rgleason@coda18.gov
 - c. 18th Judicial District Public Defender's Office
Angela Brant, Deputy State Public Defender, 303-799-9001,
angela.brant@coloradodefenders.us
 - d. Arapahoe County Municipal Government
Brad Kamby, Judicial Services Division Manager, Arapahoe County
Judicial Services, 720-874-3360, bkamby@arapahoegov.com
 - e. CASA - Advocates for Children
Josefina Milliner, Executive Director, CASA, 303-328-2349,
Josefina_Milliner@adv4children.org

- Proxy: Ebony Johnson, 303-328-2349, ebony_johnson@adv4children.org
 - f. Collaborative Management Program
Suzette Randolph, Arapahoe County CMP Coordinator, CASA, 303-407-7831, suzette_randolph@adv4children.org
 - g. Community Mental Health
Sarah Gohn, Clinical Director Child & Family Services, All Health Network, 720- 707-6775, SGohn@AllHealthNetwork.org
 - h. Division of Youth Services
Eugene Forbes, Facility Director, Marvin W Foote Youth Services Center, 303- 768-7506, Eugene.Forbes@state.co.us
 - i. Division of Youth Services
Tammy Schneiderman, Central Region Director, Division of Youth Services, 303- 349-9723, Tammy.Schneiderman@state.co.us
 - j. Department of Human Services
Jessica Williamsen, Division Manager Child & Adult Protection Services, Arapahoe County Department of Human Services, 303-636-1783, jwilliamsen@arapahoegov.com
 - Proxy: Shawna Hayden Shaffer, 303-917-0362, SHaydenShaffer@arapahoegov.com
 - k. Law Enforcement
Sergeant Michael Bender, 720-237-8385, MBender@auroragov.org
 - l. Local School District
Brandon Wright, Student Engagement Coordinator, Aurora Public Schools, 303- 365-5819, bvwright@aurorak12.org
 - m. Probation Department
Janira Pacheco, Probation Manager, 18th JD Probation, 720-213-7857, Janira.Pacheco@judicial.state.co.us
2. **Arapahoe County Public Airport Authority.** Pursuant to the bylaws:
 - a. Reappoint Thad J. Bagnato to a four-year term.
 - b. Appoint Brian D Beatty to a four-year term.
 3. **Board of Adjustment.** Pursuant to 30-289-117, C.R.S. and the Arapahoe County Zoning Resolution:
 - a. Reappoint Jesse Armstrong as an associate member to serve a one-year term.
 4. **Board of Review.** Pursuant to 30-28-206(1), C.R.S.
 - a. Appoint Garrett Kurtt to a four-year term.

5. **Community Corrections Board.** Pursuant to 17-27-103, C.R.S. to establish a Community Corrections Board and to delegate powers to such board Resolution No.070272
 - a. Appoint John Maus for a one-year term.
6. **Community Services Block Grant Advisory Committee.** Pursuant to Resolution No. 232-83, the Community Services Block Grant Act (42 USC 9901 *et seq.*) and the requirements of the Colorado Department of Local Affairs:
 - a. Reappoint Ms. Kim Wright for a one-year term.
 - b. Reappoint Sandra Blythe-Perry for a one-year term.
7. **Denver Regional Council of Governments Advisory Committee on Aging.**
 - a. Reappoint Andrea Suhaka for a three-year term.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-105 It was moved by Commissioner Campbell and duly seconded by Commissioner Baker to approve the HOME-ARP funding allocation for \$4,487 to be reallocated to HAAT Force for ongoing homeless sheltering services.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gulley, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-106 It was moved by Commissioner Campbell and duly seconded by Commissioner Baker to amend Resolution No. 25-091B adopted on March 25, 2025 to correct the new actual value and refund amount for Petitioner, Atigheh Targhi, parcel number 2073-07-1-06-002, tax year 2023.

The correct actual value has been reduced from \$553,000 to a new actual value of \$529,600 and a refund in the amount of \$109.15 shall be allowed.

There are no changes to any other provision in said Resolution No. 25-091B except as noted herein.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-107 It was moved by Commissioner Campbell and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, Colorado statutes provide as follows with respect to certain taxes that were levied erroneously and/or are otherwise uncollectible: (1) C.R.S. § 39-10-114(1) states that “when taxes have been levied erroneously or illegally...the treasurer shall report the amount thereof to the board of county commissioners, which shall proceed to abate such taxes”; and (2) C.R.S. § 39-10-114(2) states that when taxes on certain personal property, including mobile homes, “are determined to be uncollectible after a period of one year after the date of their becoming delinquent [they] may be cancelled by the board of county commissioners”; and

WHEREAS, the Treasurer’s Office has identified delinquent taxes on several property parcels which were levied erroneously and/or are otherwise uncollectible and recommends the Board cancel these taxes; and

WHEREAS, a study session was held on March 25, 2025, during which the abatement/cancellation of these taxes was discussed with the Board and the Board requested that the matter be moved forward to the consent agenda for approval; and

WHEREAS, during the study session the Board determined that going forward, when property taxes such as these will be cancelled or have been levied erroneously or illegally, unless there are certain unusual or anomalous items, the Treasurer should schedule the cancellation(s) directly to the Board’s consent agenda without first bringing the matter to the Board through study session; and

WHEREAS, pursuant to the information presented at the study session, the Board of County Commissioners of Arapahoe County believes it is necessary and warranted to abate the taxes on the referenced parcels that were levied erroneously and cancel the taxes on the referenced parcels that are otherwise uncollectible.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

The Board hereby (1) authorizes the Treasurer going forward to schedule property tax cancellation(s) such as these directly to the Board’s consent agenda without first bringing the matter to the Board through study session except when there are certain unusual or anomalous items, and (2) authorizes the abatement and/or cancellation of the taxes on the parcels identified on the attached tables for the tax years noted effective as soon as the taxes are more than one year delinquent pursuant to C.R.S. § 39-10-114(2) and authorizes the Treasurer’s Office to take the steps necessary for these abatement/cancellations of the taxes on these parcels for the tax years noted despite any clerical errors that might be discovered in the stated tax amounts, etc.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-108 It was moved by Commissioner Campbell and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the voters of Arapahoe County approved Ballot Measure 1A during the 2024 general election, which allows the County to remove spending limits imposed by the Taxpayer's Bill of Rights (TABOR) and provides for the creation of a Resident Advisory Committee to monitor and review expenditures; and

WHEREAS, the Board of County Commissioners is committed to ensuring transparency, public accountability, and community involvement in the monitoring and reviewing of funds collected under the measure; and

WHEREAS, a public application and selection process was conducted in accordance with County procedures to identify qualified residents from across Arapahoe County with diverse backgrounds and areas of expertise.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County, Colorado, that:

1. The 1A Resident Advisory Committee will be established as part of the county's advisory board and commission program.
2. The committee will have 10 members, five of which will represent individual commissioner districts, while the latter will represent the county as a whole and have characteristics that reflect the diverse geography, demographics, perspectives, and age groups of Arapahoe County.
3. Members shall serve an initial term as designated below, with such initial terms staggered to ensure continuity of service. Thereafter, the Board of County Commissioners may reappoint members to serve up to two additional three-year terms.
4. The purpose of the committee is to ensure transparency, accountability, and public oversight in the use of excess revenues retained under Ballot Measure 1A; and the goal is to provide informed, consensus-based recommendations to county commissioners and staff regarding the allocation and stewardship of 1A revenues. By serving as a liaison between the County and its residents, the committee aims to promote trust, enhance civic engagement, and ensure that funds are used effectively and in accordance with the intent of the ballot measure.
5. The following individuals are hereby appointed to serve as members of the Arapahoe County 1A Resident Advisory Committee as follows, or until their successors are duly appointed and qualified:
 - a. Janet Becker-Wold, District 1, for a term that expires April 21, 2028
 - b. Phillip McCart, District 1, for a term that expires April 21, 2026
 - c. Andrew Lantzy, District 2, for a term that expires April 21, 2028
 - d. Lula Guilbert, District 2, for a term that expires April 21, 2027

- e. Roberta (Robbin) Schincke, District 3, for a term that expires April 21, 2028
- f. Danielle Young-kombo, District 3, for a term that expires April 21, 2027
- g. Maya Wheeler, District 4, for a term that expires April 21, 2028
- h. Vera Idam, District 4, for a term that expires April 21, 2026
- i. Edde Summers, District 5, for a term that expires April 21, 2027
- j. Kirk Manzanares, District 5, for a term that expires April 21, 2026

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; and Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-109 It was moved by Commissioner Campbell and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on Tuesday, April 22, 2025 and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes as submitted by taxpayer and as contained within an Agenda Memorandum to the Board; and

WHEREAS, applicable procedures, due process, and requirements of notice were followed pursuant to Sections 39-1-113 and 39-10-114, C.R.S.; and

WHEREAS, no Petitioner or representatives of the Arapahoe County Assessor were present, although both parties were afforded notice; and

WHEREAS, the Board received comments from the County Attorney, received exhibits and reviewed the record as represented by an Agenda Memorandum summarizing the Petition and the Arapahoe County Assessor recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

1. That the Petition listed below, presented this date to the Board and relating to the schedule numbers set forth therein, shall be and are hereby granted, the recommendations of the Assessor are hereby adopted and abatements or refunds in the amounts approved by the Assessor are hereby approved by the Board.

Petitioner: Forest View Colorado LP
Parcel #: 1975-12-1-00-022
Tax Year: 2023
Original Value: \$6,049,305 Corrected Value: \$5,444,374

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-110 It was moved by Commissioner Campbell and duly seconded by Commissioner Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on Tuesday, April 22, 2025 and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes as submitted by taxpayer and as contained within an Agenda Memorandum to the Board; and

WHEREAS, applicable procedures, due process, and requirements of notice were followed pursuant to Sections 39-1-113 and 39-10-114, C.R.S.; and

WHEREAS, no Petitioner or representatives of the Arapahoe County Assessor were present, although both parties were afforded notice; and

WHEREAS, the Board received comments from the County Attorney, received exhibits and reviewed the record as represented by an Agenda Memorandum summarizing the Petition and the Arapahoe County Assessor recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

2. That the Petition listed below, presented this date to the Board and relating to the schedule numbers set forth therein, shall be and are hereby granted, the recommendations of the Assessor are hereby adopted and abatements or refunds in the amounts approved by the Assessor are hereby approved by the Board.

Petitioner:	CLF Pulco Two LLC
Parcel #:	2075-26-3-27-001
Tax Year:	2023
Original Value:	\$7,769,000
Corrected Value:	\$6,143,600

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-111 It was moved by Commissioner Campbell, and seconded by Chair Pro Tem Baker to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on April 22, 2025; and

WHEREAS, pursuant to C.R.S. § 39-8-102, the Board, in its role as the County Board of Equalization (“CBOE”), annually reviews assessed property valuations and corrects “any errors made by the assessor, and, whenever in its judgment justice and right so require, it shall raise, lower, or adjust any valuation for assessment in the assessment roll to the end that all valuations for assessment of property are just and equalized within the county”; and

WHEREAS, agreements to settle property tax protests filed with the Board of Assessment Appeals (“BAA”) have been reached on the BAA matters noted below through discussions involving the CBOE Appeals Coordinator, the County Attorney’s Office, the Assessor’s Office, and the taxpayers’ representatives; and

WHEREAS, these agreements have been reached between the taxpayers and the County to change the valuations for assessment as noted, in an effort to further the goal of ensuring that all valuations for assessment are just and equalized within the County; and

WHEREAS, based upon the evidence submitted to the Board on this date, the Board has no reason to disagree with the proposed Stipulations.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

The Board, hereby authorizes the Arapahoe County Attorney to settle the following property tax protest filed with the BAA, for the tax year listed below:

Docket#	Property Owner	Tax Year
2023BAA6082	Limitless Properties LLC	2023
2024BAA2354 & 2024BAA1463	Heatherridge Shopette LLC	2023/2024
2024BAA1500 & 2024BAA3204	Buckingham West Company LLP	2023/2024
2023BAA1512 & 2025BAA168	Buckingham West Company LLP	2023/2024
2021BAA2509	Sky Wave Enterprises LLC	2021
2021BAA2510	Sky Wave Enterprises LLC	2021
2023BAA6211	SPRE Summerfield Condos LLC	2023/2024

The vote was

Commissioner Baker, Yes, Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-112 It was moved by Commissioner Campbell and duly seconded by Commissioner Baker to approve the funding allocation of County Community Development Block Grant Funds to South Metro Housing Options for the Montview Flats Project in an amount up to \$300,000 and to authorize submittal of a substantial amendment to the 2024 Annual Action Plan to the U.S. Department of Housing and Urban Development.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gulley, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-113 It was moved by Commissioner Baker duly seconded by Commissioner Campbell to adopt the following Resolution:

WHEREAS, application has been made by SunShare LLC, applicant, on behalf of Lowry Environmental Protection Cleanup Trust Fund, property owner, for the rezoning of certain property hereinafter described from Mixed Use (MU) zone district to Agricultural-1 (A-1) zone district, in Planning Case No. CZ24-001; and

WHEREAS, after a hearing on this matter, the Arapahoe County Planning Commission made a favorable recommendation for said change in zoning subject to certain stipulations as set forth in the record of said Planning Commission proceedings; and

WHEREAS, following the Planning Commission hearing, public notice of a hearing before the Arapahoe County Board of County Commissioners ("the Board") has been properly given of such proposed rezoning by publication on April 3, 2025 in the Littleton Independent, Englewood Herald, and Centennial Citizen, newspapers of general circulation within the County of Arapahoe, by posting of said property and by mail notification of adjacent property owners in accordance with the Arapahoe County Zoning Resolution; and

WHEREAS, pursuant to statute, the Land Development Code, and in accordance with such public notice, a public hearing was held before the Board of County Commissioners at the Arapahoe County Administration Building, 5334 South Prince Street, Littleton, Colorado, on the 22nd day of April, 2025 at 9:30 o'clock a.m., at which time evidence and testimony were presented to the Board concerning said rezoning request; and

WHEREAS, the administrative record for this Case includes, but is not limited to, all duly adopted ordinances, resolutions and regulations, together with all Department of Development Services and Infrastructure Management processing policies which relate to the subject matter of the public hearing, the staff files and reports of the Planning and Engineering case managers, and all submittals of the applicant; and

WHEREAS, representations, statements and positions were made by or attributed to the applicant or its representatives on the record, including representations made at hearing and contained in the materials submitted to the Board by the applicant and County staff; and

WHEREAS, the applicant has agreed to all conditions of approval recommended by County staff, and has agreed to execute all agreements and to convey all rights of way and easements recommended by staff, except as stated in this resolution; and

WHEREAS, pursuant to the authority vested unto the Board of County Commissioners by Article 20 of Title 29 and Article 28 of Title 30 C.R.S. as amended, and in accordance with the Arapahoe County Land Development Code, the Board has concluded that the public health, safety, convenience and general welfare, as well as good zoning practice, justifies granting a change in the zoning of the hereinafter described property subject to the conditions precedent and/or other conditions as hereinafter delineated.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

1. The Board of County Commissioners for Arapahoe County hereby grants and approves rezoning of the following parcel from MU zone district to A-1 zone district, Planning Case No. CZ24-001, subject to the conditions precedent and/or other conditions as hereinafter delineated.

LEGAL DESCRIPTION

PART OF THE EAST ½ OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE 6TH P.M., EXCEPT THAT PART CONVEYED TO COUNTY OF ARAPAHOE FOR ROAD PURPOSES IN DEED RECORDED IN BOOK 462 AT PAGE 45 AND ALSO EXCEPT ANY PORTION THEREOF LYING WITHIN HAMPDEN AVENUE AND QUINCY AVENUE, AND EXCEPT THAT PORTION CONVEYED TO THE CITY OF AURORA IN DEED RECORDED OCTOBER 10, 1988 IN BOOK 5548 AT PAGE 257 AND EXCEPT THAT PORTION CONVEYED TO E-470 PUBLIC HIGHWAY AUTHORITY RECORDED JANUARY 3, 1996 AT RECEPTION NO. A6001152 AND EXCEPT THAT PORTION CONVEYED TO ARAPAHOE PARK AND RECREATION DISTRICT IN DEED RECORDED MARCH 16, 2011 AT RECEPTION NO. D1025733 AND EXCEPT ANY PORTION THEREOF CONVEYED TO ARAPAHOE COUNTY, COLORADO, RECORDED IN DEED RECORDED DECEMBER 27, 2018 AT RECEPTION NO. D8125747, COUNTY OF ARAPAHOE, STATE OF COLORADO.

TOTAL AREA OF SUBJECT PROPERTY IS 2,471,713 SQUARE FEET OR 56.743 ACRES, AS SURVEYED.

2. Approval of this rezoning is based upon the following understandings, agreements and/or representations:

a) The applicant's assent and/or agreement to make all modifications to the final version of the documents that are necessary to conform the documents to the form and content

requirements of the County in existence at the time the documents are submitted for signature.

b) The representations, statements and positions contained in the record that were made by or attributed to the applicant and its representatives, including all such representations made at hearing and statements contained in materials submitted to the Board by the applicant and County staff.

3. Approval of this rezoning shall be and is subject to the following conditions precedent and/or other conditions, which the applicant has accepted and which the applicant is also deemed to accept by preparing a mylar for signature by the Chairman of the Board of County Commissioners within sixty (60) days of this date and by continuing with the development of the property:

a) The applicant's compliance with the conditions of the Arapahoe County Planning Commission as set forth in the record of its proceedings, except as may be modified by this Resolution.

b) The applicant's compliance with all conditions of approval recommended by the staff case managers in the written staff reports presented to the Board, and any conditions stated by staff on the record.

c) The applicant's compliance with all additional conditions of approval stated by the Board, including:

1. Prior to signature of the final copy of these plans the applicant must address Public Works and Development staff comments and concerns.

d) The applicant's performance of all commitments and promises made by the applicant or its representatives and stated to the Board on the record, or contained within the materials submitted to the Board.

4. Upon the applicant's completion of any and all changes to the rezoning mylar as may be required by this Resolution, the Chairman of the Board of County Commissioners is hereby authorized to sign same.

5. That the Zoning Map of Arapahoe County shall be and the same is hereby amended to conform to and reflect said change in zoning.

6. County planning, engineering and legal staff are authorized to make any changes to the mylar form of the approved document as may be needed to conform the documents to the form and content requirements of the County in existence at the time the documents are submitted for signature, and to make such other changes that are expressly stated by staff before the Board, or are recommended by staff in the written staff reports, or are referred to by the movant Commissioner. No other deviation or variance from the form and content of the documents submitted for the Board's consideration are approved except to the extent stated in this resolution.

7. The County Attorney, with the concurrence of the planning and/or engineering case managers, is authorized to make appropriate modifications to the resolution and plan documents as needed to accurately reflect the matters presented to the Board and to record and clarify, as necessary, other aspects and ramifications of the Board's action.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-114 First Reading on proposed Ordinance Number 2025-01 related to a prohibition of the sale, use and possession of fireworks within unincorporated Arapahoe County was held, pursuant to Section 30-15-406, C.R.S. Said Ordinance was read into the record. It was moved by Commissioner Campbell and duly seconded by Commissioner Warren-Gully to set a public hearing on the proposed Ordinance for May 13, 2025, at 9:30 a.m. The proposed Ordinance was ordered to be published in the Colorado Community Media newspapers at least ten days prior to May 13, 2025. The text of the proposed Ordinance is as follows:

**ARAPAHOE COUNTY, COLORADO
ORDINANCE NO. 2025-01**

**AN ORDINANCE PROHIBITING THE SALE AND USE OF FIREWORKS WITHIN
UNINCORPORATED ARAPAHOE COUNTY**

WHEREAS, pursuant to C.R.S. § 30-15-401, the Board of County Commissioners of Arapahoe County has the power to adopt ordinances for the control of those matters of local concern; and

WHEREAS, pursuant to C.R.S. § 30-15-401(1)(n.7), matters of local concern include prohibiting or restricting the sale, use and possession of fireworks, including permissible fireworks as defined in C.R.S. §§ 24-33.5-2001(5) and (11); and

WHEREAS, the authority provided in C.R.S. § 30-15-401(1)(n.7) allows the Board of County Commissioners to prohibit or restrict the sale, use and possession of fireworks in all or part of the unincorporated areas of the county for a period not to exceed one (1) year; however, such ordinance shall not be effective during the period between May 31 and July 5, unless the Board of County Commissioners adopts a resolution that includes a finding of high fire danger, based on competent evidence; and

WHEREAS, it is the opinion of the Board of County Commissioners, that in order to preserve the public peace, health, safety and welfare of the citizens of Arapahoe County, they should take the following action:

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Arapahoe County, the following:

SECTION I. PROHIBITION ON THE SALE AND USE OF FIREWORKS

1. The sale and use of fireworks, including, but not limited to, permissible fireworks as defined in C.R.S. §§ 24-33.5-2001(5) and (11), are prohibited in all unincorporated areas of Arapahoe County.
2. The above prohibition on the sale and use of fireworks shall be effective during the period between May 31 and July 5, or any portion thereof, only if the Board of County Commissioners adopts a resolution imposing the ban on the sale and use of fireworks during the May 31 to July 5 period, or portion thereof, and only if the resolution includes a finding of high fire danger in conformance with C.R.S. § 30-15-401(1)(n.7). If such a resolution is adopted then the ban on the sale and use of fireworks shall be and remain effective during the portion of the May 31 to July 5 period indicated in the resolution unless and until the Board of County Commissioners subsequently adopts a resolution rescinding the ban on the sale and use of fireworks during such period.
3. The above prohibition on the sale and use of fireworks does not apply with respect to display fireworks, display retailers and display operators, as defined in C.R.S. § 24-33.5-2001, to the extent such sale and use is in compliance with applicable state and local laws, ordinances and regulations, and to the extent the following conditions are satisfied: (i) any use of display fireworks is supervised by firefighting and/or local public safety personnel, and (ii) adequate fire suppression equipment is at the scene of any use of display fireworks.

SECTION II. TIME

This Ordinance and the restrictions contained therein are in effect until May 12, 2026, unless suspended or terminated at an earlier date.

SECTION III. PUBLICATION OF NOTICE

Notice of the passing of this Ordinance and prohibition contained herein shall be promptly published in the County newspaper.

SECTION IV. UNLAWFUL CONDUCT

It shall be unlawful for any person to sell or use fireworks in violation of this Ordinance.

SECTION V. ENFORCEMENT

The Arapahoe County Sheriff shall enforce the provisions of this Ordinance.

SECTION VI. VIOLATIONS

Any person who violates this Ordinance commits a civil infraction and upon conviction thereof, shall be punished by a fine of five hundred dollars (\$500.00) for a first offense, seven hundred and fifty dollars (\$750.00) for a second offense, and one thousand dollars (\$1,000.00) for a third and any subsequent offense. The penalty assessment procedure provided in C.R.S. § 16-2-201 shall be followed by the arresting Sheriff's Deputy or other officer for any violation of this Ordinance, and the graduated fine schedule set forth herein shall be followed when issuing any summons and complaint in accordance with such procedures.

SECTION VII. DISPOSITION OF FINES

All fines for violations of this Ordinance shall be paid into the General Fund of Arapahoe County.

SECTION VIII. SEVERABILITY

If any one or more of the provisions of this Ordinance is determined by a competent court of law to be invalid, such determination shall not affect the validity of the remaining portions of this Ordinance.

SECTION IX. PRIOR ORDINANCE SUPERSEDED

This Ordinance supersedes and replaces Arapahoe County Ordinance Number 2024-01.

SECTION X. EFFECTIVE DATE

This Ordinance shall take effect upon its adoption. This is necessary for the immediate preservation of public health and safety, in order to control activity subject to this ordinance as soon as possible, and also to ensure that the ordinance will be in place during the upcoming July 4th fireworks season so that the fireworks restrictions can be quickly made effective, by adoption of a resolution as allowed by C.R.S. § 30-15-401(1)(n.7), in the event of the rapid onset of high fire danger.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

The foregoing Resolutions from the meeting of April 22, 2025 have been reviewed and approved.

BOARD OF COUNTY COMMISSIONERS

Leslie Summney

CLERK TO THE BOARD

[Signature]

COUNTY ATTORNEY'S OFFICE

[Signature]

