



MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Karen Proctor, Town Administrator

DATE: April 1, 2021

RE: Ordinance 2021-03 Amending Chapter 7 of the Foxfield Municipal Code Concerning Outdoor Storage in the Rural Residential Zone District

DISCUSSION:

Ordinance 2021-03 amends Chapter 7 of the Foxfield Municipal Code concerning outdoor storage in the rural residential zone district. Section 7(a)(5) has been added to state that no storage is allowed on vacant lots.

A question has come up regarding a situation where a vacant lot may be owned by an adjacent improved property. Does the Board wish to add language that would consider the vacant lot as an extension of the residence and therefore allow storage on the vacant lot?

ATTACHMENT:

Exhibit A: Ordinance 2021-03 Chapter 7 of the Foxfield Municipal Code Concerning Outdoor Storage in the Rural Residential Zone District

Trustee Bill No. 03
Series of 2021
Town of Foxfield

Introduced by Trustee

**A BILL FOR AN ORDINANCE AMENDING CHAPTER 7 OF THE FOXFIELD
MUNICIPAL CODE CONCERNING OUTDOOR STORAGE IN THE RURAL
RESIDENTIAL ZONE DISTRICT**

WHEREAS, the Board of Trustees desires to amend certain provisions of Chapter 7 of the Town of Foxfield Municipal Code concerning outdoor storage in the Rural Residential Zone District;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF FOXFIELD, COLORADO:

Section 1. The definitions of “Litter” and “Vehicle” contained within Section 7-1-10 of the Foxfield Municipal Code are hereby deleted in their entirety.

Section 2. The definition of “Trash” contained within Section 7-1-10 of the Foxfield Municipal Code is hereby amended to read as follows:

Trash means that which is worthless or useless and includes but is not limited to any and every refuse, rubbish, garbage, debris, waste material, paper, cartons, bottles, boxes, crates, barrels, plastic object, wooden object: wood (except stacked firewood and stacked construction materials); wood or upholstered furniture or bedding; rubber, metals, tin or aluminum cans, metal furniture; chemical compound, petroleum product or compound, paint; automobile part or accessory, tire, wheel; food or food product; solvent, dye, beverage; offal composed of animal matter or vegetable matter or both; dirt, rock, pieces of concrete, bricks, glass, crockery or other minerals or mineral wastes; or any noxious or offensive matter whatsoever. However, such does not include earth and waste from building construction during the period in which a valid building permit issued by the Town is applicable.

Section 3. Section 7-1-10 of the Foxfield Municipal Code is hereby amended by the addition thereto of the following definitions:

Other Vehicles means class 4-5 (14,000-19,500 pounds) and Recreational Vehicle classes A,B and C. Other vehicles also include licensed trailers (with or without vehicles on them), ATVs, jet skis and boats.

Passenger Vehicle means Class 1-3 (weighing under 14,000 pounds). Including, but not limited to, automobiles and motorcycles.

Section 4. Section 7-1-20 (7)a. of the Foxfield Municipal Code is hereby repealed and reenacted to read as follows:

Sec. 7-1-20. Nuisance defined.

Nuisance includes:

* * *

(7) The existence, without limitation, of any of the following conditions:

a. Outdoor storage.

1. No person shall be permitted to store items or materials in a public right-of-way.

2. The accumulation of junk, trash, stale or odorous matter, including improperly maintained compost or manure piles that emit odor or similar materials that constitute a threat to the health or safety of any person, or that contribute to blight and land degradation, is prohibited.

3. Attractive nuisances generally considered dangerous to children, including abandoned, broken or neglected vehicles, equipment, machinery, refrigerators and freezers, hazardous pools or excavations related to construction sites.

4. The outdoor storage or accumulation of the following items on private property, other than in a fully enclosed structure or properly screened from view from the public right of way and neighboring properties is prohibited:

a) Tools, equipment, inventory and other supplies; however, on properties with current, valid building permits, these items may be stored in small quantities of required supplies during the term of the building permit.

b) The parking or storage of any unlicensed or inoperable vehicle. This Subparagraph is not meant to prohibit outside storage of bona fide collector's items when stored in compliance with Section 42-12-101, et seq., C.R.S., and other applicable ordinances.

c) The parking or storage of any passenger vehicle, other vehicle or other articles of personal property, not owned by the occupant of the property upon which it is parked, stored or used, for longer than a period of ten (10) days.

d) The unscreened parking or storage of more than a total of ten (10) vehicles so long as no more than five (5) of the ten (10) vehicles are "other vehicles" as defined by this Article 1 of Chapter 7. Any additional vehicles, beyond the ten (10) vehicle limit in this section must be parked in an enclosed structure or properly screened from view from the public right of way and neighboring properties.

e) The parking or storage of any Class 6-9 vehicle (weight exceeding 19,501 pounds).

5. No person shall park, store, leave, keep or maintain any vehicle, other vehicle, any items or materials on vacant lots or parcels except when such vehicles or items are being used in connection with an active building permit.

Section 5. Section 7-1-20(7)f of the Foxfield Municipal Code is hereby repealed and reenacted to read as follows:

- f. Streets, streams and water supply. No person shall throw or deposit or cause or permit to be thrown or deposited trash, junk or other offensive matter upon any street, avenue, alley, sidewalk or public or private grounds. No person shall throw or deposit or cause or permit to be thrown or deposited trash, junk or any other substance that would tend to have a polluting effect, into the water of any stream, ditch, pond, well, cistern, trough or other body of water, whether artificially or naturally created or so near any such place as to be liable to pollute the water.

Section 6. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police powers of the Town of Foxfield, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 7. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 8. This ordinance shall become effective thirty (30) days after final publication.

Adopted as Ordinance No. 03 Series of 2021, by the Board of Trustees of Foxfield, Colorado, and signed and approved by its Mayor or presiding officers this day of 2021.

Lisa Jones, Mayor

ATTEST:

Miranda Gallivan, Town Clerk

Town Seal

Corey Y. Hoffmann, Town Attorney
(Approved as to Form)

VEHICLE WEIGHTS

EVER WONDER WHAT EACH CLASS OF TRUCK LOOKS LIKE?

US TOO. WE CREATED THIS HANDY INFOGRAPHIC FOR YOU TO USE!

**CLASS 1-3
NON-COMMERCIAL VEHICLES**

No concern of ours
Anyone can drive a minivan or a station wagon
Famous representation: Lightning McQueen



IF YOUR SHOP HANDLES ANY CLASSES, CHECK OUT FULLBAY AND SEE WHAT WE CAN DO FOR YOU!

**CLASS 4
BETWEEN 14,000-16,000 POUNDS**

You can drive these yourself, but be careful
Box trucks and some delivery trucks
Famous representation: The COSTCO food delivery truck



**CLASS 6
BETWEEN 19,501-26,000 POUNDS**

Beverage trucks, rack trucks, and school buses
You need a CDL for this type of vehicle
Famous representation: The Magic School Bus



**CLASS 5
BETWEEN 16,001-19,500 POUNDS**

Lots of farming equipment
Bucket trucks, cherry pickers
Famous representation: Your local electrical company probably probably has a fleet of bucket trucks



**CLASS 7
BETWEEN 26,001-33,000 POUNDS**

Working trucks you see on a daily basis
Street sweepers, garbage trucks, and city transit buses
Famous representation: GDM-5303 (a.k.a. that bus from Speed)



**CLASS 8
OVER 33,001 POUNDS**

Heavy isn't enough of an adjective - these trucks are called severe-duty
Most big rigs, along with cement trucks and dump trucks
Famous representation: Optimus Prime



**CLASS 9
FOR VEHICLES THAT DEFY CLASSIFICATION**

"The Great Beyond"
A big 18-wheeler can weigh up to 80,000 pounds
Might need to obtain special permits and stick to specific routes
Famous representation: Unicorn



Heavy duty repair shop software

[FULLBAY.COM](https://fullbay.com)

Class 1	Light truck	0–6,000 pounds (0–2,722 kg)	Chevrolet Colorado/GMC Canyon , Ford Ranger , Nissan Navara , Jeep Gladiator , Toyota Tacoma , Honda Ridgeline FWD ^[8]
Class 2a	Light truck	6,001–8,500 pounds (2,722–3,856 kg)	Chevrolet Silverado/GMC Sierra 1500 , Ford F-150 , Nissan Titan , Ram 1500 , Toyota Tundra , Dodge Dakota , Honda Ridgeline AWD ^{[8][9][10]}
Class 2b	Light/Medium truck	8,501–10,000 pounds (3,856–4,536 kg)	Chevrolet Silverado/GMC Sierra 2500 , Ford F-250 , Nissan Titan XD , Ram 2500 ^{[8][9][10]}
Class 3	Medium truck	10,001–14,000 pounds (4,536–6,350 kg)	Isuzu NPR , ^[11] Chevrolet Silverado/GMC Sierra 3500 , Ford F-350 , Ram 3500 , Ford F-450 (pickup only)
Class 4	Medium truck	14,001–16,000 pounds (6,351–7,257 kg)	Isuzu NPR-HD , ^[11] Chevrolet Silverado 4500 , Ford F-450 (chassis cab), Ram 4500 ^[8]
Class 5	Medium truck	16,001–19,500 pounds (7,258–8,845 kg)	Isuzu NRR , ^[11] Chevrolet Silverado 5500 , Ford F-550 , Ram 5500 , Kenworth T170 , Peterbilt 325 , International TerraStar ^[12]
Class 6	Medium truck	19,501–26,000 pounds (8,846–11,793 kg)	Chevrolet Kodiak C6500 , Ford F-650 , Kenworth T270 , Peterbilt 330 , International Durastar ^[13]
Class 7	Heavy truck	26,001–33,000	Autocar ACMD, GMC C7500 , Kenworth T470 & T440 & T370 , Peterbilt 220 & 337 , Ford F-750 ^[14]

		pounds (11,794– 14,969 kg)	
Class 8	Heavy truck	33,001 pounds (14,969 kg) +	Autocar ACX , Autocar DC , International WorkStar , Freightliner Cascadia , Kenworth T600 , Kenworth T660 , Kenworth T680 , Kenworth W900, Kenworth W990, Kenworth T880, Kenworth T800 Orange EV T-Series Electric, Mack Granite , Peterbilt 579, Peterbilt 389 ^[15] - Semi-trailer trucks fall into this category