

**ORDINANCE NO. 22-13**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CASTLE  
PINES, COLORADO AMENDING SECTION 11-1-30 OF THE  
MUNICIPAL CODE OF CASTLE PINES TO AMEND THE DEFINITION  
OF DUMPSTERS**

WHEREAS, the City of Castle Pines (the "City") previously created a right-of-way permit that would allow dumpsters and storage pods to be placed temporarily in the public right-of-way; and

WHEREAS, the City previously defined dumpster that would require a right-of-way permit to include a container exceeding a capacity of thirty (30) cubic yards; and

WHEREAS, City Staff believes that this large capacity is insufficient to protect City streets because dumpsters that have a capacity of five (5) cubic yards still require heavy equipment trucks to place and can damage the streets; and

WHEREAS, the City Council desires to amend Section 11-1-30 to make clear that containers that equal or exceed five (5) cubic yards must obtain a right-of-way permit; and

WHEREAS, the City Council finds that these changes are necessary for the protection of health, safety, and welfare of the public.

**NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Castle Pines, Colorado:**

Section 1. Section 11-1-30 of the Castle Pines Municipal Code is hereby amended as follows with deletions shown in ~~strike through~~ and additions shown in underline text:

**Sec. 11-1-30. Dumpsters and Storage Pods Prohibited on Public Right-of-Ways.**

(a) Definitions.

(1) *Dumpster* means any container equal to or exceeding a capacity of ~~thirty (30)~~ five (5) cubic yards designed or intended to be used for the storage or hauling of any trash, refuse garbage, yard debris, discarded construction materials, or other waste materials.

\* \* \*

**Section 2. Severability.** If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect, in accordance with Section 6.8 of the Charter.

**Section 3. No Existing Violation Affected.** Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability

incurred, or any cause or causes of action acquired or existing, under any ordinance hereby repealed or amended by this Ordinance, or any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

**Section 4. Publication and Effective Date.** The City Clerk is hereby directed to cause publication of this Ordinance in accordance with Section 6.5 of the Charter. This Ordinance shall be effective thirty (30) days after final publication on the City’s official website and posting at the City Clerk’s office pursuant to Section 1-3-40 of the Municipal Code.

**INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 13<sup>th</sup> day of SEPTEMBER, 2022.**

**READ, PASSED, AND ADOPTED ON SECOND READING, FOLLOWING A PUBLIC HEARING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 27<sup>th</sup> day of SEPTEMBER, 2022.**



ATTEST:  
*Tobi Duffey*

Tobi Duffey, MMC, City Clerk

*Tracy Engerman*  
Tracy Engerman (Oct 10, 2022 10:42 MDT)

Tracy Engerman, Mayor

Approved as to form:  
*Linda Michow*  
Linda Michow (Oct 10, 2022 07:50 MDT)

Linda C. Michow, City Attorney

**CERTIFICATION OF PUBLICATION**

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading on September 13, 2022; published by title only in the Douglas County News-Press, together with the statement that “[t]he complete text of the ordinance is available through the City Clerk’s office and on the City’s official website with second reading and public hearing to be held on September 27, 2022”; and finally passed and adopted by the City Council on September 27, 2022, following a duly noticed public hearing and published on the City’s official website and posted at the City Clerk’s office on September 28, 2022.

ATTEST:  
*Tobi Duffey*

Tobi Duffey, MMC, City Clerk