

**ORDINANCE NO. \_\_\_\_\_**  
**(Series of 2023)**

AN ORDINANCE ADOPTING BY REFERENCE AND ENACTING LAND USE REGULATIONS FOR THE TOWN OF DINOSAUR, COLORADO; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF DINOSAUR, COLORADO:

Section 1. The Code entitled "Dinosaur Land Use Regulations" consisting of Title 14, with tables and index, is adopted as a primary code by reference.

Section 2. All ordinances or portions of ordinances of a general and permanent nature enacted on or before the adoption date of this Ordinance which are inconsistent with the provisions of the Dinosaur Land Use Regulations, to the extent of such inconsistency and not otherwise saved from repeal, are hereby repealed. Provided, however, such repeal shall not affect any pending cases in the Dinosaur Municipal Court filed under such repealed ordinances.

Section 3. The repeal established in the foregoing Section shall not be construed to revive any ordinance or part thereof that had been previously repealed by any ordinance which is repealed by this Ordinance.

Section 4. The penalties provided by the Dinosaur Land Use Regulations are hereby adopted as follows:

(1) **Section 14.01.200. Penalties.**

14.01.200 Penalties.

A. Fine or Imprisonment. Any person, firm or corporation violating any of the provisions of this Title shall be deemed guilty of a municipal offense, and such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any such violation is committed, continued, or permitted, and upon conviction of any such violation, such person, firm or corporation shall be punishable by a fine of not more than three hundred dollars (\$300.00) or a jail sentence of not more than ninety (90) days or by both such fine and imprisonment.

B. Revocation of Mobile Home or Travel Trailer Park License. When a Mobile Home or Travel Trailer Park owner or operator's license is revoked:

1. The admittance of new residents into the park after date of revocation is prohibited.
2. If no action is taken to remedy the violation within fifteen (15) days of revocation of a Mobile Home or Travel Trailer Park License, notice will be served to vacate such park within thirty (30) days of the serving of the notice to vacate.

C. Suspension of Mobile Home or Travel Trailer Park License. When a Mobile Home or Travel Trailer Park License is suspended, the admittance of new residents into the park after the date of suspension is prohibited.

D. Additional Remedies. In case of any building or structure is erected, constructed, altered, repaired, converted, or maintained, in violation of this Title or any other ordinance, the proper Town authorities, in addition to any other remedies, may institute any appropriate action or proceeding in the District Court to prevent such unlawful erection, construction, alteration, repair, conversion, maintenance, or use.

(2) **Section 14.10.030. Enforcement-Sign Regulations**

14.10.030 Enforcement.

A. Discontinued Establishments; Removal of Signs. Whenever a business, industry, service or other use is discontinued, the sign(s) pertaining to the use shall be removed or obscured by the person or entity owning or having possession over the property within ninety (90) days after the discontinuance of such use.

B. Illegal Signs.

1. Penalties. Illegal signs shall be subject to the administrative remedies of the Town Municipal Code.
2. Removal of illegal signs in the public right-of-way. The Town may cause the removal of any sign within the public right-of-way or on property that is otherwise abandoned that has been placed there without first complying with the requirements of this Chapter.
3. Storage of removed signs. Signs removed in compliance with this Section shall be stored by the Town for thirty (30) days, during which they may be recovered by the owner only upon payment to the Town for costs of removal and storage. If not recovered within the thirty (30)-day period, the sign and supporting structure shall be declared abandoned and title shall vest with the Town. The costs of removal and storage (up to thirty [30] days) may be billed to the owner. If not paid, the applicable costs may be imposed as a tax lien against the property.

(3) **Section 14.13.210. Oil and Gas Drilling and Production.**

14.13.210 Violation and Enforcement.

A. Unlawful to Construct or Install Unapproved Oil and Gas Facilities. Except as otherwise provided in this Article, it is unlawful to construct, install or cause to be constructed or installed any oil and gas facility within the Town unless approval has been granted by the Town Council. The unlawful drilling or redrilling of any well or the production therefrom is a violation of this Chapter.

B. Penalty. Any person, firm, corporation or legal entity that constructs, installs or uses, or which causes to be constructed, installed or used, any oil, gas or injection well, well site or production site or commits any act or omission in violation of any provision of this Article or of the conditions and requirements of the oil and gas conditional use permit may be punished by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment. Each day of such unlawful operation constitutes a separate violation.

C. Civil Action. In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered or used, or any land is or is proposed to be used, in violation of any provision of this Article or the conditions and requirements of the oil and gas conditional use permit, the Town Attorney, in addition to the other remedies provided by law, ordinance or resolution, may institute an injunction, mandamus, abatement or other appropriate action or proceeding to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration or use.

D. False or Inaccurate Information. The Town Council may revoke an oil and gas conditional use permit if it is determined after an administrative hearing held on at least ten (10) days' notice to the applicant, that the applicant provided information and/or documentation upon which approval was based, which the applicant, its agents, servants or employees, knew, or reasonably should have known, was materially false, misleading, deceptive or inaccurate.

E. Prospective Application. Unless specifically provided otherwise, this Chapter shall apply only to wells which are drilled in the Town on and after the date that this Chapter is adopted. The reentering of a well in existence prior to the date of adoption of this Chapter for purposes of deepening, recompleting or reworking shall not require approval of a use permitted by conditional review.

F. Recovery of Fees. Should the Town prevail in any action for legal or equitable relief for a violation of the provisions of this Article, in addition to any other penalties or remedies which may be available, the Town shall be entitled to recover any damages, costs of action, expert witness fees and reasonable attorney's fees incurred.

Section 4. Additions or amendments to the Regulations, when passed in the form as to indicate the intention of the Town to make the same a part of the Regulations, shall be deemed to be incorporated in the Regulations, so that reference to the Regulations includes the additions and amendments.

Section 5. Ordinances adopted after this Ordinance that amend or refer to Ordinances that have been codified in the Regulations shall be construed as if they amend or refer to those provisions of the Code.

This Ordinance shall be in full force and effect following adoption and approval by the Town Council, thirty (30) days following its publication.

INTRODUCED, READ and PUBLIC NOTICE ORDERED PUBLISHED at a regular meeting of the Town Council of the Town of Dinosaur, Colorado, this \_\_\_ day of \_\_\_\_\_, 2023.

Public Notice Publication Dates:

\_\_\_\_\_  
\_\_\_\_\_

INTRODUCED A SECOND TIME at a regular meeting of the Town Council of the Town of Dinosaur, Colorado held on \_\_\_\_\_, 2023, PASSED, ADOPTED AND ORDERED PUBLISHED.

TOWN OF DINOSAUR, COLORADO,

By: \_\_\_\_\_

Richard Blakley, Mayor

ATTEST:

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Tamara Long, Town Clerk