

# ***City Council***

## ***Study Session Agenda***

**February 26, 2013**  
**Louisville Public Library, 1<sup>st</sup> Floor Meeting Room**  
**951 Spruce Street**  
**7:00 PM**

- |                  |             |   |
|------------------|-------------|---|
| 7:00 p.m.        | <b>I.</b>   | Call to Order   |
| 7:00 – 7:30 p.m. | <b>II.</b>  | Update – Historic Preservation Commission   |
| 7:30 – 8:00 p.m. | <b>III.</b> | Discussion – Parking Ordinances and Enforcement   |
| 8:00 – 8:15 p.m. | <b>IV.</b>  | Discussion – Business Assistance Program Statistics   |
| 8:15 – 8:25 p.m. | <b>V.</b>   | City Manager’s Report<br>a. Advanced Agenda   |
| 8:25 – 8:30 p.m. | <b>VI.</b>  | Discussion Items for Next Study Session on March 12, 2013 and Identification of Future Agenda Items |
| 8:30 p.m.        | <b>VII.</b> | Adjourn   |

**SUBJECT: UPDATE – HISTORIC PRESERVATION COMMISSION**

**DATE: FEBRUARY 26, 2013**

**PRESENTED BY: HISTORIC PRESERVATION COMMISSION**

**SUMMARY:**

The Historic Preservation Commission (HPC) is a seven member quasi-judicial board that hears and decides requests for demolition on structures 50 years or older. The Commission also advises the City Council on landmark requests, Historic Preservation Fund (HPF) grant requests, and certificates of appropriateness for modifications to landmarked structures.

**BOARD MEMBERS:**

The current board members are: Peter Stewart, chair; Aquiles La Grave, vice-chair; Jessica Fasick; Lynda Haley; Mike Koertje; Heather Lewis; and Kirk Watson. All of the positions on the HPC are currently full.

**2012 SUMMARY:**

**1. Landmark & District Designation**

Five properties and no districts were landmarked in 2012 (see attachment 1).

**2. Design Review**

The architects on the HPC continued to offer design assistance to a number of properties in 2012 to help owners sensitively preserve their structures while making additions or other changes.

**3. Demolition Review**

HPC conducted demolition review on 21 properties in 2012. The outcomes are as follows (see attachment 2 for more details):

Released at Subcommittee	Released at Public Hearing	Stay Imposed	Withdrawn by Applicant
11	5	4	1
52%	24%	19%	5%

**4. Grants**

HPC disbursed \$38,304.20 in residential preservation/restoration grants out of the Historic Preservation Fund (HPF) in 2012. HPF monies totaling \$956,706 were also used for the purchase of the grain elevator. See attachment 4 for more details.

**5. Survey Work**

HPC worked on two surveys in 2012: the Jefferson Place survey, which should be complete by April 2013, and the Reconnaissance Survey of Old Town, which should be complete by July 2013.

**6. Historic Structure Assessments**

HPC is conducting a historic structure assessment for the Austin-Niehoff House (717 Main Street – the Parks and Recreation Department offices) which should be complete early this year. HPC also gave grants for assessments of four landmarked residential properties: 1021 Jefferson, 700 Lincoln, 1005 Lafarge, and 733 Pine.

**7. CLG Grants**

HPC has received five state grants since its inception, including three last year. Grants paid for portions of the work on the Jefferson Place and Reconnaissance surveys and the Austin-Niehoff assessment, as well as covering expenses for two HPC members and two staff to attend the National Alliance of Preservation Commissions Forum 2012 in Norfolk, Virginia.

<u>CLG Grants</u>	<u>Amount</u>	<u>Status</u>
NAPC Forum 2012	\$6,500.00	Attended
Reconnaissance Survey	\$12,786.00	Underway
NAPC Forum 2008	\$1,450.00	Attended
<u>SHF Grants</u>		
Jefferson Place	\$21,000.00	Underway
Austin-Niehoff HSA	\$7,400.00	Underway
<b>Total</b>	<b>\$49,136.00</b>	

**8. Outreach**

HPC has taken several steps to improve outreach in 2012. The Commission held a joint study session with the Louisville Revitalization Commission in October to improve coordination and collaboration, and made various presentations to other groups. It has also been involved in the 2012 Comprehensive Plan update, to ensure preservation goals are adequately represented. In addition, HPC has ordered plaques to designate landmarked houses and added a map to the HPC website showing the locations of landmarked structures.

**9. Financial report**

The current estimated fund balance in the Historic Preservation Fund is \$1,652,966. Revenues to date are summarized below:

City of Louisville, Colorado Historic Preservation Fund Schedule of Revenue by Year 2009 - 2012			
<b>Revenue - 2009:</b>			
Sales Tax	324,042		
Miscellaneous	19		
Interest Earnings	8,418		
<b>Total Revenue - 2009</b>		<b>332,479</b>	
<b>Revenue - 2010:</b>			
Sales Tax	315,440		
Miscellaneous	60		
Interest Earnings	5,847		
<b>Total Revenue - 2010</b>		<b>321,347</b>	
<b>Revenue - 2011:</b>			
Sales Tax	327,409		
Consumer Use Tax	19,861		
Auto Use Tax	32,109		
Building Use Tax	25,298		
State Grant - Historical Fund	8,775		
Interest Earnings	5,335		
<b>Total Revenue - 2011</b>		<b>418,787</b>	
<b>Revenue - 2012 (preliminary):</b>			
Sales Tax	312,057		
Consumer Use Tax	28,260		
Auto Use Tax	31,517		
Building Use Tax	30,490		
State Grant - Historical Fund	5,427		
Interest Earnings	8,432		
Transfer from General Fund	1,500,000		
<b>Total Revenue - 2012</b>		<b>1,916,183</b>	
<b>Total Revenue To-Date</b>			<b>2,988,797</b>

**SUBJECT: UPDATE – HISTORIC PRESERVATION COMMISSION**

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Expenditures to date are summarized below:

City of Louisville, Colorado Historic Preservation Fund Schedule of Expenditures by Year 2009 - 2012								
	Administration/Operations			Grants & Acquisitions				Total Expend
	Admin	Services	Other	Incent	Restor	Aquistn	Other	
<b>Expenditures - 2009:</b>								
Administration	8,884	-	-	-	-	-	-	8,884
<b>Total Expenditures - 2009</b>	<b>8,884</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>8,884</b>
<b>Expenditures - 2010:</b>								
Administration	33,056	-	-	-	-	-	-	33,056
Jefferson Place Survey	-	11,550	-	-	-	-	-	11,550
Grants:								
557 Jefferson Avenue	-	-	-	1,000	2,298	-	-	3,298
1117 Jefferson Avenue	-	-	-	1,000	-	-	-	1,000
1131 Jefferson Avenue	-	-	-	1,000	7,719	-	-	8,719
1109 LaFarge Avenue	-	-	-	1,000	-	-	-	1,000
816 McKinley Avenue	-	-	-	1,000	-	-	-	1,000
501 South Street	-	-	-	1,000	-	-	-	1,000
<b>Total Expenditures - 2010</b>	<b>33,056</b>	<b>11,550</b>	<b>-</b>	<b>6,000</b>	<b>10,017</b>	<b>-</b>	<b>-</b>	<b>60,623</b>
<b>Expenditures - 2011:</b>								
Administration	44,521	-	-	-	-	-	-	44,521
Jefferson Place Survey	-	6,000	-	-	-	-	-	6,000
Grain Elevator Assessment	-	38,496	-	-	-	-	-	38,496
Other - Videotape	-	-	75	-	-	-	-	75
Grants:								
1117 Jefferson Avenue	-	-	-	5,000	6,940	-	-	11,940
1131 Jefferson Avenue	-	-	-	-	6,820	-	1,700	8,520
1109 LaFarge Avenue	-	-	-	-	17,769	-	-	17,769
816 McKinley Avenue	-	-	-	-	4,100	-	-	4,100
501 South Street	-	-	-	-	12,021	-	-	12,021
1021 Jefferson Avenue	-	-	-	1,000	-	-	-	1,000
557 Jefferson Avenue	-	-	-	-	460	-	-	460
700 Lincoln Avenue	-	-	-	1,000	-	-	-	1,000
1145 Main Street	-	-	-	1,000	-	-	-	1,000
Acquisitions:								
817 Main Street	-	-	-	-	-	59,573	-	59,573
<b>Total Expenditures - 2011</b>	<b>44,521</b>	<b>44,496</b>	<b>75</b>	<b>8,000</b>	<b>48,110</b>	<b>59,573</b>	<b>1,700</b>	<b>206,475</b>
<b>Expenditures - 2012 (preliminary):</b>								
Administration	51,674	-	-	-	-	-	-	51,674
Jefferson Place Survey	-	5,000	-	-	-	-	-	5,000
Austin-Nieuhoff Strucutre Assmt	-	14,293	-	-	-	-	-	14,293
Grants:								
501 South Street	-	-	-	-	1,618	-	-	1,618
612 Grant Avenue	-	-	-	1,000	-	-	900	1,900
1005 LaFarge Avenue	-	-	-	1,000	14,133	-	-	15,133
733 Pine	-	-	-	1,000	-	-	765	1,765
1021 Jefferson	-	-	-	-	-	-	900	900
1131 Jefferson Avenue	-	-	-	-	10,860	-	-	10,860
Acquisitions:								
Grain Elevator	-	-	-	-	-	956,706	-	956,706
<b>Total Expenditures - 2012</b>	<b>51,674</b>	<b>19,293</b>	<b>-</b>	<b>3,000</b>	<b>26,611</b>	<b>956,706</b>	<b>2,565</b>	<b>1,059,849</b>
<b>Total Expenditures To-Date</b>	<b>138,135</b>	<b>75,339</b>	<b>75</b>	<b>17,000</b>	<b>84,738</b>	<b>1,016,279</b>	<b>4,265</b>	<b>1,335,831</b>

**10. Goals for 2013**

- The HPC desires to be a strong part of the team working to landmark, preserve and adaptively reuse the Grain Elevator.
- The HPC will continue work with City Staff on the amendment to the 2009 Comprehensive Plan.
- The HPC will work on the creation of a Preservation Master Plan, which will create a framework for which the future expenditures of the HPF can be applied.
- The HPC hopes to conduct outreach to commercial property owners to explain the benefits of landmarking.
- The HPC hopes to place the recently designed and ordered plaques on existing landmarks.
- The HPC hopes to work with Council to develop a revolving loan program through the HPF which would help ensure the HPF's long-term utility (see attachments 5 and 6).
- The HPC will continue to meet and work with the LRC and Economic Development Director on or mutual goals.
- The HPC intends to improve outreach and communications with the community and property owners.
- The HPC hopes to assist in the creation of a historic resource inventory, based on the Reconnaissance Survey, that is available to the public.

**ATTACHMENTS:**

1. List of landmarks
2. Demolition reviews
3. Map
4. Grants
5. Letter describing loan program
6. Draft loan program resolution

## ***Historic Preservation Commission Louisville Register of Historic Places***

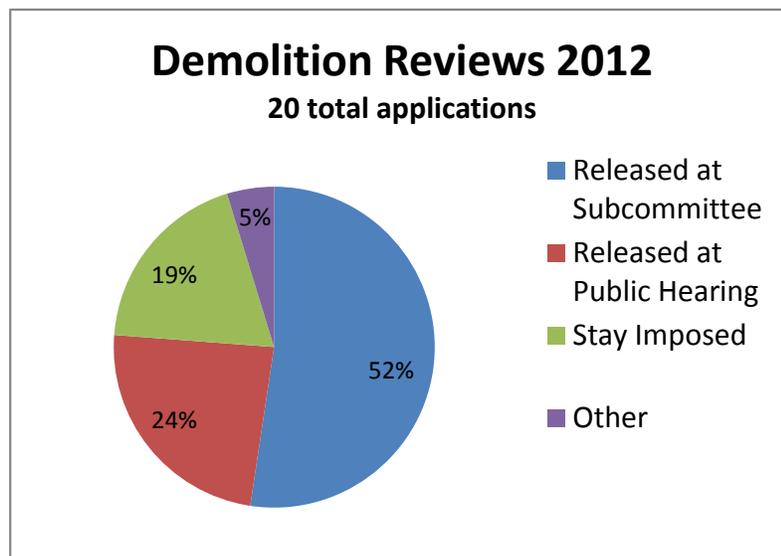
The following buildings/sites/districts have been designated Louisville Historic Landmarks:

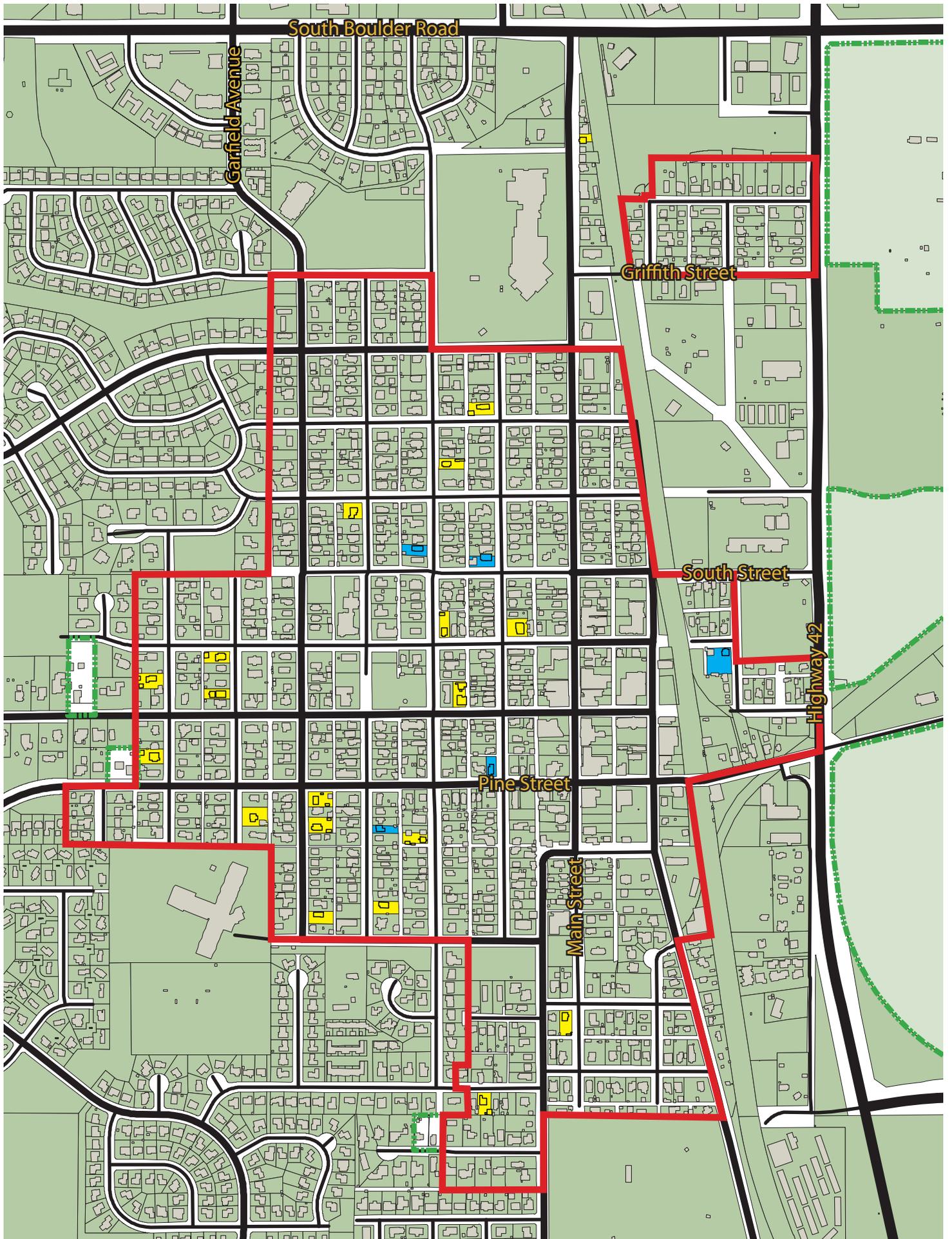
1. **Louisville Center for the Arts, 801 Grant Avenue, Resolution No. 33, Series 2005**
2. **Austin-Niehoff House, 717 Main Street, Resolution No. 34, Series 2005**
3. **Jacoe Store, 1001 Main Street , Resolution No. 40, Series 2005**
4. **Tomeo House, 1001 Main Street, Resolution No. 41, Series 2005**
5. **Jordinelli House, 1001 Main Street, Resolution No. 42, Series 2005**
6. **Jannucci House, 1116 Lafarge Avenue, Resolution No. 15, Series 2008**
7. **Fabrizio House, 557 Jefferson Avenue, Resolution No. 44, Series 2010**
8. **Ball House, 1117 Jefferson Avenue, Resolution No. 46, Series 2010**
9. **Jacoe-Conarroe House, 1131 Jefferson Avenue, Resolution No. 47, Series 2010**
10. **Zarini House, 1109 Lafarge Avenue, Resolution No. 50, Series 2010**
11. **Adkins House, 816 McKinley Avenue, Resolution No. 56, Series 2010**
12. **Zarini-Ross House, 501 South Street, Resolution No. 63, Series 2010**
13. **Rex Theater, 817 Main Street, Resolution No. 7, Series 2011 (Conservation Easement)**
14. **Thomas House, 700 Lincoln Avenue, Resolution No. 57, Series 2011**
15. **Sottelli House, 1021 Jefferson Avenue, Resolution No. 58, Series 2011**
16. **Caranci House, 1145 Main Street, Resolution No. 83, Series 2011**
17. **Hibler House, 612 Grant Avenue, Resolution No. 24, Series 2012**
18. **Allera House, 1005 Lafarge Avenue, Resolution No. 34, Series 2012**
19. **Thomas-Decker House, 733 Pine Street, Resolution No. 60, Series 2012**
20. **Guenzi House, 1036 Walnut Street, Resolution No. 76, Series 2012**

21. **Butcher-Jones House, 1013 Jefferson Avenue, Resolution No. 2, Series 2013**

## DRAFT 2012 Demo review activity

Address	Request	Outcome
1041 Grant	Remodel/expansion	180 day stay, rehear in February
1116 Jefferson	Total demo	Released by HPC
1201 Lafarge	Partial demo/addition	Released by subcommittee
1300 Lincoln	Total demo	Withdrawn by applicant
1524 Main	Partial demo/re-siding	Released by subcommittee
500 Pine	Total demo	180 day stay expired
508 Lincoln	Total demo	Released by subcommittee
520 Grant	Total demo	Failed to hold public hearing within required 60 days (lack of quorum)
612 Lincoln	Total demo	180 day stay expired
613 Jefferson	Total demo of all structures	Released by subcommittee
620 Garfield	Replace windows	Released by subcommittee
701 Walnut	Total demo	Set for public hearing 2/11/13
705 McKinley	Partial demo/addition	Released by HPC
713 Spruce	Total demo	Released by HPC
720 West	Total demo	Released by subcommittee
801 Walnut	Partial demo/addition (became	Released by HPC after 5 month stay
817 Garfield	Add front porch/replace	Released by subcommittee
821 McKinley	Total demo	Released by subcommittee
841 Garfield	Partial demo/re-siding	Released by subcommittee
841 Parkview	Total demo	Failed to hold public hearing within required 60 days (lack of quorum)
96th and Dillon	Total demo of all structures	Released by subcommittee
Grain elevator shed	Total demo	180 day stay
Grain elevator shed	Total demo of shed	Released by subcommittee, on hold pending land





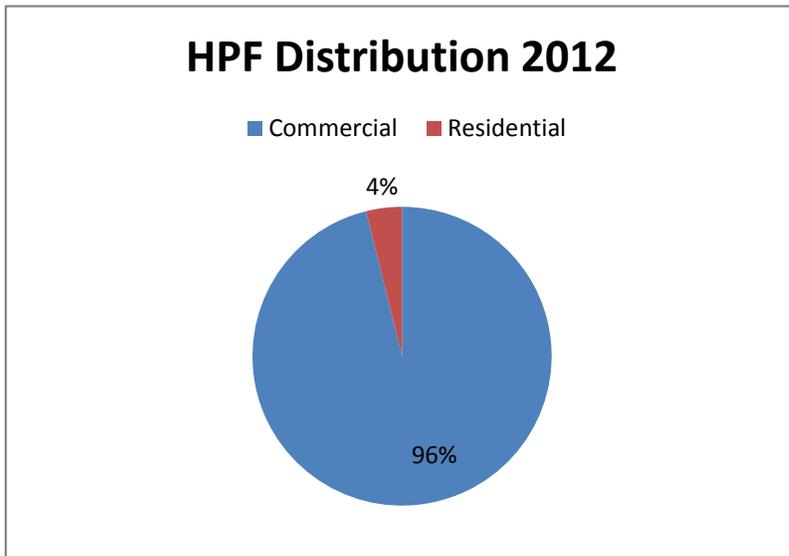
- Demolitions
- Landmarks

Old Town District

**DRAFT**

Address	Designated	Signing Bonus	Assessment	Preservation Grant	Total
<b>Residential</b>					
1131 Jefferson	2010	<i>Previous Year</i>	0	\$10,860.00	\$10,860.00
1021 Jefferson	2011	<i>Previous Year</i>	\$900.00		\$900.00
700 Lincoln	2011	<i>Previous Year</i>	\$900.00		\$900.00
612 Grant	2012	\$1,000.00	0	0	\$1,000.00
1005 Lafarge	2012	\$1,000.00	\$900.00	\$18,844.20	\$20,744.20
733 Pine	2012	\$1,000.00	\$900.00		\$1,900.00
1036 Walnut	2012	\$1,000.00	0		\$1,000.00
1013 Jefferson	2012	\$1,000.00	0		\$1,000.00
Total Residential					\$38,304.20
<b>Commercial</b>					
Grain Elevator	pending	\$950,000.00			
Total Commercial					\$950,000.00
<b>TOTAL</b>					<b>\$988,304.20</b>

Commercial            \$950,000.00  
 Residential            \$38,304.20



To: Mayor Muckle and City Council

Date: February 15, 2013

Re: Revolving Loan Program

At times in the past, we have very briefly discussed the advisability of a revolving loan program with you. However, due to limited resources, we have all focused our attention on developing a grant program within the Historic Preservation Fund (HPF). Now that the grant program is on solid footing, and the Historic Preservation Tax (HPT) is nearing the halfway point of its life (unless extended), we feel that it is an appropriate time to develop a loan program.

Ballot Issue 2A, adopted by Louisville voters in 2008, specifically authorized funding from the Historic Preservation Fund (HPF) for “grants and low interest loans to preserve and rehabilitate eligible properties”. This was followed by Council Resolution No. 20 (2009), which stated in §3 that uses of the HPF would include:

“ii. Low-interest loans to fund the restoration and rehabilitation of existing resources. The loans shall be administered by the City or a designee appointed by City Council, with loan payments returning to the HPF. Loans shall be evidenced by a loan agreement, guaranteed by the borrower (with individual guarantees as the City may in its discretion require), and secured by a lien on the property. The loan may provide for default and acceleration of the loan if the completed work is not contemplated by the conditions of the loan. Further, if the work is not completed in compliance with the conditions of the loan, the loan amount shall be returned forthwith, with interest. Any costs in collecting the loan upon default shall be charged to the HPF;”

Clear authority exists to establish an HPF loan program, and perhaps was even anticipated by the voters when the Historic Preservation Tax was established.

For the long-term health of the HPF, we think it is time to strongly consider a loan program. Unless the tax is extended by the voters, or other sources of funding are found, the HPF will quickly deplete upon the sunset of the tax, particularly with major projects like the Grain Elevator. A revolving loan fund would allow the HPF to survive even without additional funding and maximize the number of property owners that can be helped, and in perhaps greater amounts. In many cases, particularly large projects, loans might be a more appropriate method of funding that grants, since it requires a greater commitment from the property owner. A combination of grants and loans may be a more effective package of assistance than only grants for some projects.

There are many examples of successful revolving loan programs for historic funding which can be consulted. The Colorado Historical Foundation (CHF) offers below-market loans for historic preservation purposes, generally between \$100,000 and \$750,000.

<http://www.cohf.org/revolvingloanfund.html> The CHF program has existed for about nine years and has issued 13 loans. CHF partners with the Colorado Housing & Finance Authority (CHFA), which does the financial analysis, loan servicing and collection (and charges a 1%

origination fee). Interest rates vary by project and borrower, but have ranged from 2 - 7%. Mr. Ittelson, the Executive Director of CHF, is happy to offer advice as we go forward, and CHF would be interested in partnering with us on projects, though their requirements may be more stringent than our requirements, as their seed money came from the State Historical Fund.

The City of Fort Collins, Colorado, offers a limited Rehabilitation Loan Program for local landmarks. <http://www.fcgov.com/historicpreservation/applications.php> Amounts of up to \$7,500.00 may be borrowed at 0% interest. No monthly payments are due, but any remaining balance is due if the property is transferred or sold. Loans are provided only on a reimbursement basis once eligible work has been completed, and are subject to a 50% match requirement. Loans are approved by the City's Landmark Preservation Commission, and are administered by Funding Partners. <http://www.fundingpartners.org/>

There are many other examples of historic preservation revolving loan funds, including in Providence, RI (<http://www.revolvingfund.org/about.php>), Virginia (<http://www.apva.org/revolvingfund/>), Savannah, GA (<http://www.myhsf.org/revolving-fund/>), New Jersey (<http://www.njht.org/dca/njht/programs/rlf/>), Dubuque, Iowa (<http://www.cityofdubuque.org/index.aspx?NID=773>), New Mexico (<http://www.nmhistoricpreservation.org/programs/mainstreet.html>), Oregon (<http://www.oregonlaws.org/ors/358.666>) and other communities. A very local successful revolving loan program, though not for historic preservation, is the Boulder County EnergySmart program. <http://www.energysmartyes.com/> Although the program encompasses more than just loans, low-interest loans for qualifying energy improvements to residential and commercial structures is a major component of EnergySmart. <https://elevationscu.com/energyloans>

One issue that may have held up consideration of the loan program in the past was concern about staff time and expertise in administering loans. However, more research has indicated that other programs rely on outside entities, such as CHFA or Finding Partners, to handle the more technical aspects of the loans. There are a number of entities that could provide this service, including potentially local banks.

We have drafted a potential resolution for your review, outlining the bare bones of our vision of a revolving loan program. We look forward into entering into a discussion with you regarding how you envision the program might work, and fleshing out details. Particular details which need to be discussed, and for which we would like your direction, include:

- 1) Whether or not a standard interest rate should be applied, or whether the interest rate would be determined at the time of the approval.
- 2) The length of time in which loans could be outstanding.
- 3) Whether loans could only be awarded within a given range (i.e. \$5000 to \$50,000), or whether the amount should be determined on a case-by-case basis with no presumptive range, or perhaps as a percentage of the value of the property.
- 4) Whether the City would require a subordination agreement with any mortgage holders.
- 5) If the recipient of the loan defaults, how would enforcement of the lien be handled?

Thank you for your consideration of this important tool for the preservation of the character of our community.

RESOLUTION NO. \_\_\_\_\_, SERIES 2013

(HPC draft 2-15-15)

**A RESOLUTION ESTABLISHING A REVOLVING LOAN PROGRAM  
WITHIN THE HISTORIC PRESRVATION FUND TO ENCOURAGE  
LANDMARK DESIGNATIONS OF HISTORIC PROPERTIES IN THE  
CITY OF LOUISVILLE**

**WHEREAS**, historic properties in the City of Louisville (the “City”) are a major contributor to the character and quality of life of our City; and,

**WHEREAS**, the City Council, pursuant to the City Charter, established a Historic Preservation Commission to assist it in the preservation and landmarking of these properties; and,

**WHEREAS**, when properties are locally landmarked they are preserved for future posterity and enjoyment and continue to contribute to the unique character of our City; and

**WHEREAS**, at the November 4, 2008 election, the voters approved a ballot issue to levy one-eighth of one percent (1/8%) sales tax for purposes of historic preservation purposes within Historic Old Town Louisville, including a provision for low-interest loans; and,

**WHEREAS**, City Council by Ordinance No. 1544, Series 2008, imposed the tax approved by the voters and established the Historic Preservation Fund, with provision for low-interest loans; and

**WHEREAS**, the City Council by Resolutions No. 20, Series 2009, No. 20, Series 2010, and No. 2, 2012, created provisions related to the administration and uses of the Historic Preservation Fund; and

**WHEREAS**, revolving loan funds have been used effectively nationwide for the preservation of historic structures and neighborhoods;

**WHEREAS**, the utility and life of the Historic Preservation Fund will be extended by a revolving loan program;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL  
OF THE CITY OF LOUISVILLE, COLORADO:**

The following provisions shall be enacted:

**Section 1. Creation of a Revolving Loan Program**

- a. A revolving loan program shall be created, utilizing funds from the Historic Preservation Fund as supplemented by private and public donations and grants, interfund loans, and any other appropriate source. This program shall be used to provide low-interest loans for the purposes of the preservation, restoration, rehabilitation and protection of properties which are landmarked pursuant to Louisville Municipal Code Chapter 15.36 or subject to a conservation easement to preserve the character of historic Louisville.
- b. As soon as practicable, City Staff will prepare and issue a request for proposals (RFP) for entities to administer the loans from this program. This RFP shall be reissued as often as necessary to ensure that the loan program is effective for the life of the Historic Preservation Fund.
- c. City Staff and the Historic Preservation Commission shall develop applications, informational brochures and other materials necessary to develop the program.

## **Section 2. Loans from the Revolving Loan Fund**

- a. Loan applications shall be submitted to City Staff and shall be subject to a public hearing by the Historic Preservation Commission before final action is taken by City Council.
- b. Loan amounts may be requested in conjunction with grants from the Historic Preservation Fund, subject to limitations established in City Council Resolution, Series 2012. The Historic Preservation Commission may recommend a mixture of loans and grants from the Historic Preservation Fund, even if the applicant solely requested one type of assistance. City Council may also decide to award a mixture of loans and grants, regardless of the type of assistance requested in the application.
- c. Loans may be awarded in amounts between \$\_\_\_\_\_ and \$\_\_\_\_\_. Interest rates shall be determined at the time of the award, but shall be below the prevailing market rate. [Note: I'm not sure we want to restrict either the amount of the loan or the interest rate, or if this is the appropriate language, but we should probably at least have this discussion.]
- d. As provided by Section 3.b.ii of City Council Resolution No. 20, Series 2009:
  - i. All loan payments shall return to the Historic Preservation Fund.
  - ii. A loan agreement is required for all loans, which may include a provision for default and acceleration if the completed work is not as contemplated by the conditions of the loan.

- iii. If the work is not completed in compliance with the conditions of the loan, the loan amount shall be due forthwith, with interest.
  - iv. A lien shall be filed against the subject property.
  - v. Costs of collecting any loan shall be charged to the Historic Preservation Fund.
- e. Receipt of any loans, grants or other incentives shall require that the structure be landmarked pursuant to Louisville Municipal Code Chapter 15.36, or if not eligible for landmarking, that the owner grant the City a conservation easement to preserve the outside appearance of the structure or other historic attributes of the structure or site.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Robert P. Muckle, Mayor

\_\_\_\_\_  
Nancy Varra, City Clerk

**SUBJECT:           PARKING ORDINANCES AND ENFORCEMENT**

**DATE:               FEBRUARY 26, 2013**

**PRESENTED BY:   BRUCE GOODMAN, POLICE DEPARTMENT**

**SUMMARY:**

City Council requested an overview of Louisville's parking ordinances and a discussion of the Police Department's parking violations enforcement practices, philosophies, and procedures. The first attached document lists the City's Code provisions relating to parking for which violations are most commonly encountered, and those for which we often receive inquiries. The key provisions of each Code section are excerpted below along with background information regarding enforcement. The second attachment is a compilation of communications from a resident regarding parking issues in her neighborhood and included in the packet at the resident's request.

Other than during special events, Louisville enjoys relatively few parking issues. During most years, the department issues between 200 and 300 parking citations. Most residential neighborhoods, business properties, public property, and Old Town have adequate accessible parking to accommodate normal demands. However, parking space scarcity occurs in several places including the Davidson-Mesa Trailhead, the Library surface parking lot, and several locations with two-hour restricted parking. Even if problematic, the problems are not critical and do not require significant police resources.

Popular downtown special events are heavily attended and many of the participants drive and park around Old Town. The Police Department aggressively enforces normal and special parking restrictions during the events, but sometimes officers are unable to keep up with the number of problems. Area residents contend with blocked driveways, lack of available street parking near their homes, and every other issue associated with too many parked cars. Other special events that cause some concerns are those for which traffic is diverted or lanes are temporarily blocked. The City restricts those events to days of the week and times that will cause the least disruptions. When the City Manager believes the impacts would be too severe he has declined to issue the Special Event Permit.

The Police Department's two Code Enforcement Officers are responsible for most of the parking enforcement. Locations with frequent parking problems (Davidson-Mesa) are given more attention, which usually results in more parking tickets. Even though much of downtown is two-hour restricted parking, officers have not been aggressively working time violations. Timed parking enforcement is labor intensive, results in relatively few violations, and diverts the Code Officers from their other duties. Where the violations

become so pervasive as to prevent the healthy turnover of parking spaces, officers will target the area until the problem subsides.

**DISCUSSION ABOUT SPECIFIC ORDINANCES**

*10.20.010 - Restricted Parking.* No vehicle shall park “for a period longer than 24 hours during any given day on a public right-of-way within a residentially zoned area or on a public right-of-way adjacent to any residence in any zoned district.” 10.20.020 has been a Louisville ordinance since at least 1977, but the Police Department only enforces it selectively (such as an operable vehicle registered to someone who does not live in the neighborhood and the vehicle is left parked for an extended period of time). Strict enforcement would result in officers issuing citations to residents who park in front of their homes, and who failed to move their cars each day. This was not the intent of the ordinance and such enforcement would not benefit the residents, the neighborhoods, or the City. Surrounding cities also allow operable and properly registered vehicles to park in residential areas. Section 7-6-14 (b) of the City of Boulder’s Code states, “there is an implied consent to park in areas set aside for parking on any private or public property” except when parking meters, signs or other items specifically control, restrict or prohibit parking. Staff believes Louisville’s approach functions effectively.

*10.20.030 - Detached trailers.* “A trailer . . . shall not be parked detached from a towing vehicle in any public right-of-way . . . .” The exceptions to the restriction are construction and service trailers while work is in progress, and camping within an RV for up to 14 days as provided by 10.20.050. Occasionally, residents will leave a trailer on the street for extended periods causing Code Enforcement to take action.

*10.20.070 - Unregistered vehicles.* A vehicle that has not been registered or when the registration has expired is subject to a parking citation. The fines vary depending upon how long the registration has been expired.

*10.18.010 - City manager authorized to designate parking zones and lots.* Where there are special conditions or necessity in either commercial or residential zones, the City Manager has the authority to create a special parking area or assign/create parking restrictions. About ten years ago, the City created a special residential permit parking zone on Grant Avenue because neighbors believed parked cars connected with the St. Louis School negatively affected their neighborhood. Since then no other special parking zones in a residential have been created. Special parking districts are appealing for those with the parking privileges, but they come with equity issues, are difficult to administer, and require resources to enforce. For these reasons, staff recommends against establishing additional residential parking zones at this time.

*10.28.040 - Parking for certain purposes prohibited.* Motor vehicles may not be parked on public or private property when the principle purpose is to advertise the vehicle for sale. Enforcement is limited to when it is obvious that someone has parked the vehicle

**SUBJECT: PARKING ORDINANCES AND ENFORCEMENT**

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in a manner to publicize its sale and the ordinance is routinely used to clear areas like the former Safeway parking lot. What can be a little confusing is the situation in which an employee is a daily driver and they park their car with a "for sale" sign in a noticeable manner at the worksite. In that case there is not a violation and we do not take enforcement actions.

*14.12.010 - Compliance required. (Parks) F. "Operate or park any vehicle . . . within a park, except upon areas designated for such use." G. "Park . . . in parks . . . between the hours of 11:00 p.m. and sunrise. . . ."* After hours vehicles parked in the parks are usually occupied and officers will ask them to move on without issuing a citation. Parking on the street adjacent to a public park is permissible and is not within the scope of section 14 violations.

*17.20.160 - Motor vehicle parking limitations.* Restrictions of where and how many vehicles may be parked at a residential unit.

*17.20.165 - Parking of recreational vehicles and trailers.* Definitions and restrictions of where recreational vehicles may be parked.

**FISCAL IMPACT:**

None

**RECOMMENDATION:**

Discussion only. The Police Department does not recommend any change to the City's parking ordinances.

**ATTACHMENTS:**

1. Selected City of Louisville parking ordinances.
2. Communications submitted by Bev Beaufait

Louisville, Colorado, Code of Ordinances >> [TITLE 10 - VEHICLES AND TRAFFIC](#) >> [Chapter 10.20 - VEHICLE PARKING](#) >>

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**Chapter 10.20 - VEHICLE PARKING** 1611

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[Sec. 10.20.010. - Restricted parking.](#)

[Sec. 10.20.020. - Exceptions to restrictions.](#)

[Sec. 10.20.030. - Detached trailers.](#)

[Sec. 10.20.040. - Oversized commercial vehicles.](#)

[Sec. 10.20.050. - Prohibited uses.](#)

[Sec. 10.20.060. - Measurements.](#)

[Sec. 10.20.070. - Unregistered vehicles.](#)

### **Sec. 10.20.010. - Restricted parking.**

Except as provided in [section 10.20.050](#) of this Code, no person shall park any truck or bus exceeding 18 feet; any truck tractor, any trailer or semi-trailer; or any recreational vehicle as defined in [section 17.20.165](#) of this Code, excluding emergency vehicles, for a period of time longer than 24 hours during any given day on a public right-of-way within a residentially zoned area or on a public right-of-way adjacent to any residence in any zoned district.

*(Code 1977, § 10.20.010; Ord. No. 688-1980, § 1; Ord. No. 1537-2008, § 4, 8-5-2008)*

### **Sec. 10.20.020. - Exceptions to restrictions.**

The parking limitation asserted by [section 10.20.010](#) shall not apply to vehicles which are being utilized for the delivery or collection of goods or equipment; or being utilized for building repairs, service, or moving operations.

*(Code 1977, § 10.20.020; Ord. No. 688-1980, § 1)*

### **Sec. 10.20.030. - Detached trailers.**

A trailer, defined as any wheeled vehicle without motive power and designed to be drawn by a motor vehicle, shall not be parked detached from a towing vehicle in any public right-of-way in the city, unless such trailer is being utilized as set forth under [section 10.20.020](#) of this chapter. Any person found guilty of violating this section shall be punished as provided in [section 1.28.010](#). Each act or omission in violation of this section shall be deemed a separate violation and for each calendar day during which any violation continues, a separate violation shall be deemed to have been committed. Additionally, a detached trailer parked in the public right-of-way in violation of this section is declared a nuisance and is subject to abatement as provided in [chapter 8.20](#) of this Code. All remedies for violations of this section are cumulative and the exercise of one shall not be deemed to prevent the exercise of another nor to bar or abate any prosecution under this section.

*(Code 1977, § 10.20.030; Ord. No. 748-1981, § 5; Ord. No. 1532-2008, § 3, 4-15-2008)*

### **Sec. 10.20.040. - Oversized commercial vehicles.**

An oversized commercial vehicle, defined as any vehicle registered, licensed or used for commercial purposes or displaying advertisements for commercial enterprise and exceeding 18 feet in length, 18 feet in combined length for vehicles with trailers, or eight feet in height, or 8,000 pounds in weight by the G.V.W. rating indicated on vehicle, loaded or unloaded, shall be prohibited from all zoning districts except with the following exceptions: I-Industrial.

Oversized commercial vehicles incidental to a commercial enterprise shall be permitted on the premises of such commercial enterprise in C-C, C-B, C-N, zoning.

- B. Loading or unloading of moving vans or similar type vehicles used for moving of personal goods for a period of 24 hours or less.
- C. Temporary parking for pickup and delivery purposes for a period of four hours or less.
- D. Construction equipment and/or machinery employed in any public works project in the city parked at the site of and for the duration of such construction.

(Code 1977, § 10.20.040; Ord. No. 748-1981, § 5)

### **Sec. 10.20.050. - Prohibited uses.**

No bus, trailer coach, or mobile home, self-propelled motor home, trailer or recreational vehicle, each as defined in [section 17.20.165](#) of this Code, or any recreational equipment of any kind, shall be used for living, sleeping, or residing on any street or public right-of-way within the city. The foregoing prohibition shall not apply to sleeping within a recreational vehicle for no more than 14 nights within any six-month period on a public street in front of a residence with that resident's permission. Sleeping in recreational vehicles on public rights-of-way is prohibited in front of residences without the resident's permission and adjacent to non-residential property.

(Code 1977, § 10.20.050; Ord. No. 748-1981, § 5; Ord. No. 1537-2008, § 3, 8-5-2008)

### **Sec. 10.20.060. - Measurements.**

Measurement of heights and lengths shall be made as follows:

- A. The height of vehicles shall be measured perpendicular to the parking surface to the uppermost portion of the vehicle including loads or any projections attached thereto with the exception of radio antennae, exhaust pipes and vents.
- B. The length of vehicles shall be measured parallel to the long axis of the vehicle and shall include any projections permanently or temporarily attached thereto.

(Code 1977, § 10.20.060; Ord. No. 748-1981, § 5)

### **Sec. 10.20.070. - Unregistered vehicles.**

- A. No person shall park, abandon or otherwise leave unattended on any public street or right-of-way any unregistered vehicle or vehicle with an expired registration. For purposes of this [Section 10.20.070](#), an "unregistered vehicle" is a vehicle for which there is no current or prior certification of registration by the current owner.
- B. Any violation of this section shall be subject to punishment by fine only as follows:
  1. Registration expired between 31—60 days prior to citation .....\$ 25.00
  2. Registration expired between 61—90 days prior to citation .....100.00
  3. Registration expired more than 91 days prior to citation .....500.00
  4. Unregistered vehicle .....100.00
- C. Violations of this section are hereby deemed traffic infractions subject to the procedures set forth in [section 10.04.060](#), except that the maximum fine shall be as set forth above.
- D. Each day during which any act prohibited under this section is continued or committed shall be deemed a separate offense.
- E. Nothing herein shall limit the application of any other ordinance to an unregistered vehicle or vehicle with an expired registration.

(Ord. No. 1451-2004, §§ 1, 2)

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#### FOOTNOTE(S):

<sup>(61)</sup> **Editor's note**— Ord. No. 1451-2004, § 1, adopted July 6, 2004, amended the title of this chapter to read as herein set out. ([Back](#))

**Sec. 10.04.070. - Parking violations; penalty.**

- A. It is unlawful for any person to violate any of the provisions of this title or any of the provisions of the Model Traffic Code as adopted or amended in this chapter related to the stopping, standing or parking of a vehicle for which the sole penalty provided is a fine, which violations are hereby deemed parking infractions. A parking infraction shall be a civil matter for which punishment by imprisonment and trial by jury shall not be available, no arrest warrant shall issue for failure to pay or appear, and for which a penalty assessment notice shall be issued. The municipal court shall follow the state municipal court rules in such cases unless such rules are clearly inapplicable. Every person who is convicted of a parking infraction, who admits liability or guilt for a parking infraction, or against whom a judgment is entered for a parking infraction, shall be subject to a penalty of at least \$20.00, but not more than \$500.00, exclusive of any court costs and surcharges.
- B. For any violation of any provision of this title which is a parking infraction, the court may enter a judgment of liability by default against the defendant for failure to appear or to pay, and may assess such penalty, together with such court costs and surcharges, as are established by law. The court may establish by written order, rules and regulations for the administration of any violation of any provision of this title which is a parking infraction, including but not limited to schedules establishing the amount of penalties payable without a court appearance.
- C. If the violator of a provision on stopping, standing or parking under this title does not respond to a notice affixed to the motor vehicle within the period set in such notice by appearing at the municipal court and arranging for payment or other disposition of the charge, or by mailing payment by means of the United States mails, the municipal court shall send another notice by mail to the owner of the vehicle to which the original notice was affixed informing the owner of the violation or violations and the amounts due. If the mailed notice is disregarded for the period set in such notice, and the owner has not appeared at the municipal court and made payment or arranged for other disposition of the charge or made payment by mail, the clerk of the court shall proceed with one of the following options:
1. If there exists three or more outstanding parking infractions for the motor vehicle, issuance, under seal of the clerk and order of the municipal court, of a show cause order directing the owner of the vehicle to appear and show cause why he or she should not be held in contempt of the municipal court for failure to appear or pay the fine for the violation;
  2. Issuance, under seal of the clerk, of a certification that there exists three or more outstanding parking infractions for the motor vehicle, and upon issuance of such certification, the city may have the vehicle towed and impounded or disabled by use of a parking "boot" or similar device, in which case the owner will have to pay the fines and costs related to the outstanding parking infractions, and the costs of towing and storage if applicable, before obtaining possession of the vehicle; or
  3. Issuance, under seal of the clerk and order of the municipal court, that any order for default judgment be reduced to a civil monetary award, payable to and collectible by the City of Louisville in the same manner as civil judgments generally. The municipal court is hereby authorized to adopt rules governing the procedures used for such civil actions, which rules shall be substantially similar to the Colorado Rules of Civil Procedure used in the district courts and as promulgated by the Colorado Supreme Court.
  4. The municipal court is authorized to establish such additional procedures as may be necessary to effect the provisions of this section. The police department shall establish such additional administrative rules and procedures, consistent with applicable law and the provisions hereof, as may be necessary to effect the provisions of subsection C.2., above.
- D. In any prosecution of a parking infraction, proof that the particular vehicle described in the notice was stopped, standing or parked in violation of any provision related to the stopping, standing or parking of a vehicle, together with proof that the defendant named in the notice was at the time of such stopping, standing or parking the registered owner of such vehicle, shall constitute in evidence, a prima facie presumption, that the registered owner of such vehicle was the person who stopped, placed or parked such vehicle at the place where, and for the time during which, such violation occurred. Copies of the registration

of any vehicle, certified as such by the state motor vehicle department shall be received as evidence to show the name of the registered owner of the vehicle.

*(Ord. No. 1466-2005, § 1, 5-5-2005)*

## Chapter 10.18 - PARKING PERMIT ZONES AND LOTS

[Sec. 10.18.010. - City manager authorized to designate permit zones and lots.](#)

[Sec. 10.18.020. - Posting of signs and compliance required.](#)

[Sec. 10.18.030. - Permits and regulations.](#)

### Sec. 10.18.010. - City manager authorized to designate permit zones and lots.

- A. The city manager is authorized to designate those portions of streets and those public parking lots within commercially zoned areas of the city's downtown which shall be parking permit zones or lots, and is authorized to prohibit or limit the duration of parking within such zones or lots by persons who do not hold permits. In making any such designation the city manager shall consider:
1. The extent of existing parking congestion;
  2. The extent of hazardous traffic conditions created by the existing parking congestion;
  3. Whether such designation and permit system will foster equitable use of the on-street and off-street public parking space within the zone or lot;
  4. The public interest to be served by such designation; and
  5. Any other factors or information relevant to such designation.
- B. The city manager is authorized to designate those portions of streets within residentially zoned areas of the city's downtown which shall be residential parking permit zones, and is authorized to prohibit or limit the duration of parking within such zones by persons who do not hold permits. In making any such designation of a residential parking permit zone, the city manager shall consider:
1. The extent of existing parking congestion;
  2. The extent of hazardous traffic conditions created by the existing parking congestion;
  3. Whether such designation will further protect the residential area from polluted air, excessive noise and trash;
  4. Whether such designation will protect residents of those areas from unreasonable burdens in gaining access to their residences;
  5. Whether such designation will preserve the residential character and the value of the property in the area;
  6. The extent to which parking spaces in the area are occupied during business or other hours;
  7. The extent to which parked vehicles are registered to persons apparently not residing in the area;
  8. The public interest to be served by such designation; and
  9. Any other factors or information relevant to such designation.
- C. In making any designation of a parking permit zone or lot under subsection A or B, above, the city manager shall also determine the need for reasonable public access to parking in the zone or lot, and the manner and extent that it should be provided, along with all hours and days on which parking permit restrictions shall apply. If determined necessary or appropriate by the city manager, such restrictions may be applied on weekends and legal holidays.
- D. Prior to making any designation of a parking permit zone or lot, the city manager may notice and hold such public meetings as deemed advisable to assist in formulating a designation, and shall provide public notice of a designation prior to its effective date.
- E. For purposes of this chapter, the Downtown Louisville area within which the city manager is authorized to designate parking permit zones or lots includes all of Downtown Louisville, as defined in [chapter 17.08](#) of

this Code, and all of that certain Old Town Overlay District set forth on the official Zone District Map of the City of Louisville.

*(Ord. No. 1289-1998, § 1, 11-17-1998; Ord. No. 1297-1999, § 1, 5-4-1999; Ord. No. 1333-2000, § 1, 3-7-00)*

### **Sec. 10.18.020. - Posting of signs and compliance required.**

- A. Upon designation of a parking permit zone or lot, there shall be installed for the zone or lot the necessary traffic control devices to prohibit or limit the duration of parking without a permit.
- B. It shall be unlawful to park in a parking permit zone or lot without a valid parking permit when such a permit is otherwise required, and such violation shall be a traffic infraction for which the sole penalty shall be a fine. Vehicles not in compliance with any parking permit requirements shall be subject to tow. A vehicle displaying a valid permit issued pursuant to this chapter may be parked in a designated parking permit zone or lot without regard to time limits prescribed for the zone or lot.

*(Ord. No. 1289-1998, § 1, 11-17-1998)*

### **Sec. 10.18.030. - Permits and regulations.**

- A. Upon designation of a parking permit zone or lot, the city manager shall, upon application, issue permits for parking within such zones or lots, subject to the following requirements:
  - 1. The amount of the permit fee for parking in the various types of designated parking permit zones and lots shall be as established by order of the city manager;
  - 2. For any designated parking permit zone or lot in a commercial area, permits shall be issued on a first-come, first-served basis;
  - 3. For any designated residential parking permit zone, permits shall be issued only for vehicles owned by or in the custody of and regularly used by residents of the zone; and
  - 4. Guest permits shall be made available for guests of residents in a designated residential parking permit zone, and temporary permits shall be made available for contractors conducting business on properties in parking permit zones.
- B. The city manager shall by regulation prescribe additional standards and guidelines, not inconsistent with this chapter, governing the issuance and use of permits for parking within designated parking permit zones and lots. Such regulations shall address, without limitation, the manner of application for the issuance and renewal of permits; the transferability of permits; the standards for determination of residency for residential parking permit zones; the duration of permits; the manner of display of permits; standards for revocation of permits; the issuance of guest permits for guests in residential parking permit zones; the issuance of temporary permits for contractors and other licensees conducting business on properties in parking permit zones; and such other matters as may be necessary for proper administration of the permit system.

*(Ord. No. 1289-1998, § 1, 11-17-1998; Ord. No. 1603-2011, § 5, 10-18-2011)*

### **Sec. 10.28.010. - Driver and owner liable for violation.**

No driver shall stop or park a vehicle and no owner of a vehicle shall fail to prevent the stopping or parking of that vehicle on private property without the consent of the owner or lessee of such property. Both the owner and the driver are jointly and severally liable for any such violation. It is a specific defense to the liability of the owner that the vehicle was parked or stopped by a thief at the time of the violation.

*(Code 1977, § 10.28.010; Ord. No. 858-1985, § 1)*

### **Sec. 10.28.020. - Towing and impounding of vehicle parked without authorization on private property.**

- A. The owner or lessee of real property or an agent authorized by the owner or lessee may cause any vehicle, parked on such property without the permission of the owner, lessee, or occupant of the property, to be removed or impounded by a towing carrier. It is not necessary that a citation be issued for a vehicle to be removed or impounded pursuant to this section.
- B. The owner, lessee, or occupant of real property or an agent thereof, prior to causing the removal and impoundment of a vehicle from such person's property, shall provide clear notice on signs that say "PRIVATE PARKING: UNAUTHORIZED VEHICLES WILL BE TICKETED AND/OR TOWED AT OWNER'S EXPENSE." Such a sign shall not be required prior to removal of a vehicle when property in question is used for residential purposes as a single-family residence.
- C.
  1. Within 30 minutes of completing the impoundment of a vehicle pursuant to this section, the towing carrier shall notify the city police department of such removal and impoundment, the location of the storage site, the time at which the vehicle was removed, and the make, model, color, year of the vehicle, the issuing state and expiration date of the license plate, and the vehicle identification number. Upon such notification, the police department shall ascertain, if possible, whether or not the vehicle has been reported stolen. If the vehicle is reported stolen, the police department shall recover and secure the vehicle and notify its rightful owner. The police department shall have the right to recover from the owner its reasonable costs in recovering and securing the vehicle.
  2. If it is determined that the vehicle is not reported stolen, the towing carrier shall, as soon as possible, but no later than 72 hours after receiving that determination, report such fact to the department of revenue by first-class or certified mail, or by personal delivery, on a report form supplied by the Department of Revenue and as according to C.R.S. § 42-4-1605.

*(Code 1977, § 10.28.020; Ord. No. 858-1985, § 1; Ord. No. 912-1986, § 2)*

### **Sec. 10.28.040. - Parking for certain purposes prohibited.**

- A. No person shall park a vehicle upon a roadway, street, alley, sidewalk or sidewalk area, in a park or in any publicly owned parking area within the city for the principal purpose of displaying such vehicle for sale or lease.
- B. No person shall park a vehicle upon private property belonging to another for the principal purpose of displaying such vehicle for sale or lease unless such vehicle is parked upon property used as an automobile sales lot for consignment sale purposes.
- C. It is unlawful for the owner of any property located within the city to allow vehicles owned by others to be parked on such property for the principal purpose of being offered for sale or lease except as provided in subsection B of this section.
- D. Whenever a parked vehicle displays a sign or message indicating that it is being offered for sale or lease, such display shall be prima facie evidence that the vehicle is parked for the principal purpose of being displayed for sale or lease.
- E. For purposes of this section only, the term "vehicle" means and includes any device capable of being moved from place to place upon wheels or tracks, as well as devices capable of being moved on or through water or air, such as boats and airplanes.

(Code 1977, § 10.28.040; Ord. No. 912-1986, § 3)

Louisville, Colorado, Code of Ordinances >> [TITLE 14 - PARKS AND RECREATION](#) >> [Chapter 14.04 - GENERAL PROVISIONS](#) >>

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## Chapter 14.04 - GENERAL PROVISIONS

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[Sec. 14.04.010. - Title.](#)

[Sec. 14.04.020. - Purpose and intent.](#)

### **Sec. 14.04.010. - Title.**

This title shall be cited as the parks and recreation regulations of the city.

*(Code 1977, § 14.04.010; Ord. No. 629-1979, § 3)*

### **Sec. 14.04.020. - Purpose and intent.**

The purpose of this chapter is to regulate the use of the parks and community buildings of the city in order that all persons may enjoy and make use of such parks and buildings, and to protect the rights of those in the surrounding areas.

*(Code 1977, § 14.04.020; Ord. No. 629-1979, § 3)*

Louisville, Colorado, Code of Ordinances >> [TITLE 14 - PARKS AND RECREATION](#) >> [Chapter 14.08 - DEFINITIONS](#)  
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## Chapter 14.08 - DEFINITIONS

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[Sec. 14.08.010. - Definitions.](#)

[Sec. 14.08.020. - Amplified sound.](#)

[Sec. 14.08.030. - Buildings.](#)

[Sec. 14.08.040. - Director.](#)

[Sec. 14.08.050. - Parks.](#)

[Sec. 14.08.060. - Permit.](#)

[Sec. 14.08.070. - Recreation facilities.](#)

### Sec. 14.08.010. - Definitions.

The following words and phrases, whenever used in this title shall have the meanings ascribed to them in this chapter.

(Code 1977, § 14.08.010; Ord. No. 629-1979, § 3)

### Sec. 14.08.020. - Amplified sound.

*Amplified sound* means speech or music projected or transmitted by electronic equipment, including amplifiers, loudspeakers, microphones, bull horns or similar devices or combinations of devices which are intended to increase the volume, range, distance or intensity of speech or music and are powered by electricity, battery or combustible fuel.

(Code 1977, § 14.08.020; Ord. No. 629-1979, § 3)

### Sec. 14.08.030. - Buildings.

*Buildings* means and includes those buildings, or any portion thereof, under the supervision of the city and its department of parks and recreation.

(Code 1977, § 14.08.030; Ord. No. 629-1979, § 3)

### Sec. 14.08.040. - Director.

*Director* means the director of the department of parks and recreation or his designated agent or employee. The director shall make and publish such regulations, not inconsistent with the terms of this title, as necessary for the orderly use and management of the city's park and recreation facilities and programs.

(Code 1977, § 14.08.040; Ord. No. 629-1979, § 3)

### Sec. 14.08.050. - Parks.

*Parks* means and includes all park land, as defined in Section 1-1 of the home rule charter and all grounds, roadways, avenues, parking lots, and areas and recreation facilities therein.

(Code 1977, § 14.08.050; Ord. No. 629-1979, § 3; Ord. No. 1483-2006, § 3, 2-7-2006)

### Sec. 14.08.060. - Permit.

*Permit* means a permit for exclusive use of parks, buildings and recreation facilities, as provided for and defined in this chapter.

(Code 1977, § 14.08.060; Ord. No. 629-1979, § 3)

**Sec. 14.08.070. - Recreation facilities.**

*Recreation facilities* means specialized recreation facilities such as swimming pools, tennis courts, ballfields, and similar facilities under the supervision of the city department of parks and recreation.

(Code 1977, § 14.08.070; Ord. No. 629-1979, § 3)

## Chapter 14.12 - COMPLIANCE WITH REGULATIONS

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[Sec. 14.12.010. - Compliance required.](#)

[Sec. 14.12.020. - Enforcement of rules.](#)

[Sec. 14.12.030. - Enforcement of applicable laws and ordinances.](#)

[Sec. 14.12.040. - Hours of use.](#)

[Sec. 14.12.050. - Use of lakes and reservoirs.](#)

### **Sec. 14.12.010. - Compliance required.**

In the use of any park, building or recreation facility, all persons shall comply with all the regulations of this title, and it shall be unlawful for any person to:

- A. Conduct sales for profit in any park or community building, except with the expressed written consent of the director of parks and recreation and in full compliance with the business license ordinance of the city;
- B. Sell, vend, peddle or distribute any merchandise or property whatever, or sell tickets for any event whatsoever, or solicit contributions in any park or community building, except with the prior express written consent of the director;
- C. Distribute, circulate, give away, throw or deposit, in or on any park or community building, any handbills, circulars, pamphlets, papers or advertisements, or post or affix any handbills, circulars, pamphlets, papers or advertisements to any tree, fence or structure in any park or community building without the prior written consent of the director;
- D. Utilize any machine or device for the purpose of amplification of human voice, music or any other sound in parks or community buildings without the prior written consent of the director, except city employees, firefighters or law enforcement officers in the performance of their duty;
- E. Drive, putt, or in any other fashion play or practice golf or use golf balls or golf clubs in any area of a park except in areas set aside and posted for that purpose;
- F. Operate or park any vehicle, as defined in the state motor vehicle code, within a park, except upon areas designated for such use. Vehicles in violation of this section shall be subject to being towed away at owner's expense;
- G. Park, abandon, or otherwise allow automobiles and other conveyances to remain in parks or community building parking lots between the hours of 11:00 p.m. and sunrise, except as follows:
  1. During attendance at a function conducted under the auspices of the city;
  2. During attendance at a function which has been issued a permit;
  3. As a city employee in the performance of his duty;
  4. With the prior written consent of the director; or
  5. In areas as otherwise posted. Vehicles in violation of this section may be towed away at owner's expense;
- H. Wash, repair or service any automobile or other conveyance within any park or city-owned parking facility without the prior written consent of the director;
- I. Operate, drive, or ride upon any motorcycle, snowmobile, auto or other motorized or nonmotorized vehicle in any park except when posted specifically for such use; provided, that nonmotorized cycles shall be permitted to use pathways within any park unless such use is specifically prohibited and signs are posted giving notice of such prohibition;
- J.

- Bring or maintain in or upon any improved park, bike path, community building, or area designated by the director of parks and recreation as being subject to these rules and regulations, any dog or other animal, unless such dog or other animal is kept at all times on a leash not to exceed 15 feet in length, and under physical control of its owner or custodian. The areas as designated by the director of community services shall be of a residential character or adjacent to a residential area or be areas adjacent to parks or other facilities used by the public. In addition, any person bringing a dog or other animal in or upon any improved park, within ten feet of an improved bikeway or area designated as described in this section, shall pick up and transfer from the park any feces from such animal. Also, no person shall leave or deposit dogs, cats, fowl, fish or other animals, whether dead or alive, in any park, municipal lake, or described area in this subsection;
- K. Ride upon any horse or any other animal in any park except in areas designated and posted specifically for such use. No cattle, sheep, goats, horses or any animal shall be allowed to graze in any park except in areas designated and posted specifically for such use;
- L. Leave any garbage, trash, cans, bottles, papers or other refuse elsewhere than in the receptacles provided therefor. It is unlawful for any person to use the receptacles provided for in this section for the purpose of depositing yard clippings or other garbage or trash generated on private property;
- M. Use, distribute or consume any alcoholic beverages or 3.2 beer in parks or community buildings except in conformance with the statutes of the state and ordinances of the city regarding the sale or consumption of alcoholic beverages;
- N. Use or attempt to use or interfere with the use of any table, space or facility within any park or building which at the time is reserved for any other person or group by a permit from the director therefor. Unless the actual use of the table, space, area, building or facility referred to in any such permit is commenced within one hour after the period covered by such permit begins, such permit shall terminate;
- O. Take, seize, molest, injure or hunt any bird, reptile, fish or animal in any park or community building, or portion thereof, unless posted specifically for that purpose and in compliance with the game, fish and wildlife laws of the state;
- P. Dig, remove, destroy, injure, mutilate or cut any tree, plant, shrub, bloom or flower, or any portion thereof, growing in any park or area of a community building, or remove any wood, turf, grass, soil, rock, sand or gravel from any park. Duly authorized city employees in the performance of their duties or persons participating in city-sponsored activities are excepted from the foregoing provisions;
- Q. Cut, break, injure, mark, write or print upon or otherwise deface or disturb any rock, building, cage, pen, monument, sign, fence, bench, structure, apparatus, equipment or property in a park; attach thereto any sign, card, display or other similar device, except as authorized by permit; or attach to any community building materials, devices or equipment for the purpose of decorating that facility or for any other purpose. Duly authorized city employees in the performance of their duties shall be excepted from the foregoing provisions;
- R. Light or maintain a fire in any park, unless such fire is lighted and maintained only in a stove, fire circle, device or place intended for such purpose;
- S. Ignite any fireworks in any park or building without the prior written consent of the director;
- T. Enter, be or remain in any park, or a designated area within a park, the use of which is restricted to members of a specific age group, if not a member of such age group, or refuse to depart from such restricted area upon request of a police officer or other duly authorized employee, provided, that:
1. The age of restriction has been imposed by order of the director;
  2. Signs are posted in such restricted park or area giving public notice of such restriction. Parents and other persons having responsibility for care and custody of one or more members of the age group authorized to use the park or area shall be exempt from the provisions of this subsection;
- U. Use, consume or distribute any alcoholic beverage, malt liquor, spirituous liquor, 3.2 beer, or vinous liquor, in any park owned by the R-E-2 school district and leased by the city, during regular school hours;
- V.

Bring onto or use in any park or recreation facility owned, leased or under the supervision of the city department of parks and recreation, any glass container or any other breakable container without the written consent of the director of parks and recreation;

- W. Cause any disturbance in any park or recreation facility of the city through loud, tumultuous or obstreperous conduct, or by loud and unusual noises which disturb or tend to disturb the peace and quiet of other persons.

*(Code 1977, § 14.12.010; Ord. No. 629-1979, § 3; Ord. No. 646-1979, § 1; Ord. No. 680-1980, § 1; Ord. No. 830-1984, § 2)*

#### **Sec. 14.12.020. - Enforcement of rules.**

The director and any law enforcement officers acting in the line of duty shall diligently enforce the provisions of this title and shall have the authority to eject from any park or community building any person acting in violation of these rules and regulations. Further, the director shall have the authority to deny use of parks or community buildings to individuals or groups who refuse to comply with the provisions of this chapter and regulations promulgated hereunder.

*(Code 1977, § 14.12.020; Ord. No. 629-1979, § 3)*

#### **Sec. 14.12.030. - Enforcement of applicable laws and ordinances.**

All persons entering parks or community buildings shall abide by the rules and regulations of the city, as provided in this title, and the instructions and directions of duly authorized agents, employees or law enforcement officers of the city acting in their line of duty.

*(Code 1977, § 14.12.030; Ord. No. 629-1979, § 3)*

#### **Sec. 14.12.040. - Hours of use.**

The parks and greenbelt areas within this city shall be open daily from 6:00 a.m. until 10:00 p.m., unless a special permit is obtained from the parks and recreation department to extend these hours. No person who is not an employee of the city, acting in the scope of his employment, shall be or remain in any park or greenbelt at any other time.

*(Code 1977, § 14.12.040; Ord. No. 700-1980, § 1)*

#### **Sec. 14.12.050. - Use of lakes and reservoirs.**

All rules and regulations set forth in this chapter shall also apply to use of such facilities as public lakes, reservoirs or other bodies of water owned by the city. In addition, all persons entering such lakes, reservoirs or bodies of water shall abide by the rules and regulations of the city, as provided in this title, and shall abide by the instructions and directions of duly authorized agents, employees or law enforcement officers of the city acting in their line of duty. Also, all such persons shall abide by rules and regulations as set forth by the department and director or parks and recreation of the city for use of such facilities. The rules and regulations shall be posted at such locations as to provide notice to the citizens and members of the public using such facilities.

*(Code 1977, § 14.12.050; Ord. No. 901-1986, § 1)*

### Sec. 17.20.160. - Motor vehicle parking limitations.

- A. It is unlawful for any person to park a motor vehicle, or for any person as owner, lessee, tenant or occupant of any residential lot to permit a motor vehicle to be parked, in the front yard of a residential lot except on the paved driveway which is intended for parking or access to the garage or carport, or on an improved surface adjacent to a paved driveway.
- B. On residential lots, no more than two motor vehicles may be parked on any area of the lot other than within a fully enclosed structure or on the paved driveway which is intended for parking or access to the garage or carport. A motor vehicle which is parked or stored on an improved surface adjacent to a paved driveway, or in a rear yard, a side yard, or a side yard adjacent to the street shall be counted towards the limit of two such vehicles. No more than one such motor vehicle may be an inoperable vehicle as defined in section 8.16.040.D.1 of this Code.
- C. No minimum setbacks are required for motor vehicles from adjoining property lines.
- D. For the purposes of this section, "*motor vehicle*" means any self-propelled vehicle which is designed primarily for travel on the public highways and which is generally and commonly used to transport persons and property over the public highways, but excluding recreational vehicles as defined in [section 17.20.165](#)
- E. Any person found guilty of violating any provision of this section shall be punished for each violation as provided in [section 1.28.010](#). Each act or omission in violation of this section shall be deemed a separate violation and for each calendar day during which any violation continues, a separate violation shall be deemed to have been committed.

(Code 1977, § 17.16.160; Ord. No. 1090-1992, § 1; Ord. No. 1397-2002, § 1, 9-17-2002; Ord. No. 1511-2007, § 2, 5-1-2007; Ord. No. 1537-2008, § 1, 8-5-2008)

### Sec. 17.20.165. - Parking of recreational vehicles and trailers.

- A. *Residential areas:* Recreational vehicles and trailers may be parked in residential zone districts subject to the following requirements:
  1. *Total maximum number allowed:* A maximum combined total of two of the following may be parked or stored on a residential lot outside of a fully enclosed structure:
    - Recreational vehicle;
    - Boat;
    - Trailer;
    - Boat on a trailer.
  2. *Number within front yard setback:* No more than one recreational vehicle or trailer may be parked or stored in the front yard setback.
  3. *Improved surface required:* A recreational vehicle or trailer parked or stored in a front yard setback shall be parked on a paved driveway which is intended for parking or access to the garage or carport, or on an improved surface adjacent to a paved driveway.
  4. *No encroachment:* A recreational vehicle or trailer, including any bumpers, hitch apparatus, racks or any other item thereon, (a) shall not encroach into a public street, sidewalk, or public right-of-way, and (b) shall not be parked or stored within any vision clearance area or any sight-restriction area required to be left open for visibility purposes.
  5. *Apartment buildings:* The provisions of this section do not apply to residential lots exclusively used for apartment buildings.
  6. *Maximum permitted length:* The maximum length of a recreational vehicle or trailer shall not exceed 32 feet. The maximum length shall be measured inclusive of any bumpers, hitch apparatus, racks or any other item thereon.
- B. *Definitions:* For purposes of this section, the following terms, phrases, words and their derivations shall have the following meanings:
  - 1.

*Improved surface* means a surface constructed of concrete, asphalt, brick pavers, or gravel at minimum of two inches in depth having positive drainage.

2. *Motor vehicle* has the meaning set out in the Model Traffic Code for Colorado Municipalities as from time to time adopted by ordinance of the city council.
  3. *Recreational vehicle* means and includes: (i) a wheeled vehicle, required by the State to have a vehicular registration, built on a chassis that can be towed, hauled or driven and primarily designed to provide temporary living quarter for recreation, vacation and travel use, including, but not limited to, travel trailers, truck campers, tent trailers, pick-up campers, camping trailers, self-propelled motor homes, trailer coaches, mobile homes, buses and camper vans, and all other similar vehicles; and (ii) boats, recreational water craft (such as jet skis), snowmobiles, all-terrain vehicles, and similar recreational equipment.
  4. *Trailer* means any wheeled vehicle without motive power which is designed to be drawn by a motor vehicle, and includes without limitation any trailer, open or enclosed, use for utility, contractor's equipment or the transporting of livestock, recreational equipment or boats.
  5. *Front yard* means the yard between the side lot lines and measured horizontally at right angles from the front lot line to the principal structure.
- C. *Penalty*: Any person found guilty of violating any provision of this section shall be punished for each violation as provided in [section 1.28.010](#). Each act or omission in violation of this section shall be deemed a separate violation and for each calendar day during which any violation continues, a separate violation shall be deemed to have been committed.

(Ord. No. 1537-2008, § 2, 8-5-2008)

## Meredyth Muth

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**From:** Bev Beaufait [bbeaufa@beaufait.com]  
**Sent:** Wednesday, February 06, 2013 8:35 AM  
**To:** Malcolm Fleming; Robert Muckle; Hank Dalton; Jay Keany; Susan Loo; Ronald Sackett; Frost Yarnell  
**Cc:** City Council  
**Subject:** February 26 Study Meeting

Dear City Council,

I am here today, February 26, because of a continuous "vehicle abandoned/parking" problem on West Elm Street and West Sycamore Lane, that the Louisville Police cannot/willnot enforce with our current parking laws, listed in my Post Script.

I first reported a neighbor's truck parked on West Sycamore Street for more than 7 days in March, 2012. His truck had an open back in which he would put his "trash", which all could see. This neighbor would move his vehicle temporarily, when told by Code Enforcement. However, this neighbor would repark his vehicle in the same spot he was told not to park in a few weeks later. This continued off and on with his parking his vehicle leaving it parked/abandoned through December, 2012, as the law in my P.S. was not enforced.

Our neighborhood also had a problem with a commercial vendor (Mr. Rooter) trying to operate his company out of our neighborhood at West Elm Street and West Sycamore Lane, at times right next to the fire hydrant. This started in May, 2012 and continued through January, 2013. These commercial vehicles come early in the morning or late at night to "swap out vehicles", as the pictures show. This vendor does not care about our City parking laws.

In my URL address to you, I have 8 months worth of pictures showing this problem, which also includes a MiniCooper parking problem. I made web pages for full and in color viewing of all the pictures I took each month from June, 2012 to January, 2013. There are 9 separate links for each months worth of pictures. <http://www.beaufait.com/louisvillecars.html>

I have 5 e-mails from Bruce Goodman, the Chief of Police, showing he did not help much with this parking/abandon vehicle problem. In fact, in my humble opinion, his actions/non-actions aggravated the situation.

These e-mails show that he is frustrated with my valid parking complaints about the same vehicles over and over again for months on end. His responses to me, at times, have been less than professional, in my humble opinion, as shown in the e-mails from him to me over the months.

Chief Bruce told me in no uncertain terms that: "For the Louisville Police Department, the matter of an abandoned vehicle is closed", as shown in his e-mail to me dated May 25, 2012.

I complained about this continual abandoned vehicle situation directly to the Code Enforcement department in July, 2012 to William Kingston, who tried their best to help keep this parking situation under control. They eventually gave up.

In an e-mail to me on December 17, 2012, Chief Bruce stated this to me: "In Louisville, parking on the street is not against the law and the Police Department will not pester people because you do not like the appearance of parked cars in your neighborhood. I'm sorry that your disagree, but the Police Department will not take action for this and similar parking issues."

Chief Bruce has also used inaction about the abandoned vehicles, because I complained too much during the fall of 2012.

In a January 2, 2012 e-mail to me, he told me this: "There will be no enforcement against the 'Mr. Rooter' truck."

In my January 3, 2012 e-mail to Chief Bruce, it shows our continued conversations that day, in which I told him his actions toward me were political, and that I wanted to speak to City Council about this parking matter, and his "opinions", and not facts, for interpreting/enforcing our parking law.

There is a law in place that states that parking is not "unlimited". However, because this law is rather unclear as to lengths of time vehicles can park on public streets, the law can be misinterpreted by whomever. Only Judges are allowed interpret laws. Police Officers carry them out.

Some of the Code Enforcement officers, the City employees, do not even live in Louisville. Their standard of living might be different in their neighborhood. For instance, where they live the law might allow unlimited Public Street parking for all types of vehicles.

So, those Code Enforcement officers might see no problem, when I report abandoned vehicles. When they report back, they say there is no problem.

Therefore, the City needs specifics about the parking of vehicles on Public Streets, in front of private residences that do not belong to them, and especially our public streets that are next to our beautiful City parks, that we do not want turned into "parking lots".

Here are a few of my recommendations for resolving the City street parking problem.

- \*no vehicles can be parked on any public streets for over 3 days except on their own property
- \* if more time than 3 days is needed, they will need to get permission for extended parking from the City Admin
- \*no commercial vehicles can be parked in any private neighborhoods or next to any City Parks
- \*no vehicles allowed extended/long term parking next to any City parks
- \* repeat offenders should be ticketed and possibly towed

That is just some suggestions. Our Mayor pointed out to me that there is not much commercial parking space in Louisville.

My husband also suggested that since there is a lack of commercial parking space in our City, that we make a place in our "commercial" area. We could charge money for the parking. It would bring in revenue. I have seen our neighbors with a boat store their vehicle in another town for the winter. They could have stored that boat here in town in a commercial parking spot. The old recycling drop off center at Pine and Hwy. 42 is vacant.

This problem could happen in any neighborhood in Louisville with the City parking laws as vague as they are. These laws need immediate changing, so the Code Enforcement has uniform written word of exactly who can and cannot legally park on our beautiful City streets.

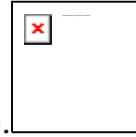
Louisville has been named in Money Magazine over the years as one of the top 5 places to live in the country. We need to keep our streets free and clear of permanent/abandoned vehicles cluttering our streets.

The law in question is listed below in the Post Script. This is the law that our Chief of Police enforces, when he wants. That loop needs closing immediately.

Thanks for your time.

Sincerely,  
Bev Beaufait  
388 W. Elm St.  
303-673-0247

P.S.



**Sec. 17.20.100. - Parking spaces not to be used for storage or advertising.**

Required **parking** spaces shall be available for the **parking** of operable passenger automobiles of residents, customers, patrons, and employees only, and shall not be used for the storage of vehicles or materials or for the **parking** of trucks used in conducting the business or use, or for the purpose of advertising. *(Code 1977, § 17.20.100; Ord. No. 715-1981, § 15)*

**From:** [Bev Beaufait](#)  
**To:** [Malcolm Fleming](#); [Robert Muckle](#); [Hank Dalton](#); [Jay Keany](#); [Susan Loo](#); [Ronald Sackett](#); [Frost Yarnell](#)  
**Cc:** [City Council](#)  
**Subject:** Fwd: Reported Abandoned Vehicle/Feb. 26 Meeting  
**Date:** Wednesday, February 06, 2013 10:46:48 AM

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City Council,

Here is a 1 copy of an e-mail between me and the Chief of Police for my February 26 study meeting with you folks. I have 4 more to send today.

If you have any questions, please feel free to contact me.

Bev Beaufait

-----Original Message-----

**From:** Bev Beaufait [mailto:bbeaufa@beaufait.com]  
**Sent:** Thursday, May 24, 2012 05:40 PM  
**To:** 'Bruce Goodman'  
**Subject:** Re: Reported Abandoned Vehicle

Bruce,

Thanks for your quick response.

I am sorry that when I first reported this abandoned last week, that your officers wrote down my wrong address and were unable to respond.

I reported an abandoned truck in March, 2012. It was never tagged and immediately moved. What a difference between then and now for procedures.

Just because there is not a painted crosswalk at this stop sign intersection, does not mean the same rules should not be followed.

Thanks for placing the tag on the vehicle so quickly. :))

-----Original Message-----

**From:** Bruce Goodman [mailto:bruceg@louisvilleco.gov]  
**Sent:** Thursday, May 24, 2012 04:02 PM  
**To:** bbeaufa@beaufait.com  
**Cc:** 'Susan Loo', 'Malcolm Fleming', 'Meredyth Muth'  
**Subject:** Reported Abandoned Vehicle

May 24, 2012

Dear Ms. Beaufait:

Your complaints about the abandoned vehicle and the actions of Louisville Police personnel were forwarded to me. I believe it is unproductive to go through every detail of your two emails, so I have attempted to condense the issues and my responses.

? When you called dispatch on May 18 you stated an incorrect location for the truck. Officer Martin was dispatched to that location and finding no such vehicle assumed it had been moved.

? We are unaware of your reporting abandoned vehicles during the two weeks prior to May 18.

? Based upon your call to dispatch today, Officer Martin found the truck and determined the registered owner to be from another city. Unable to contact the owner, he acted within our protocol of placing an Abandoned Vehicle warning tag on the vehicle. This gives the owner a fair opportunity to contact us or move the vehicle before it is ticketed or towed.

? Officer Martin, Sergeant Ragulsky and Commander Kingston are all unaware of a Louisville ordinance pertaining to the parking distance from a stop sign. The Model Traffic Code of Colorado prohibits parking within 20 feet of a painted crosswalk at an intersection.

? I am sorry that you believe you are being ignored. Officers responded immediately to each of your complaints and, I believe, acted appropriately in each instance. It is my experience that Louisville Officers care very much about the appearance of our City.

? I assure you that we are attending to your complaint and that future actions by the Officers will be based upon what is legal and suitable.

? Your gender is irrelevant in our responses to this matter.

Thank you,

Bruce Goodman

Chief of Police

303.335.4633

**From:** [Bev Beaufait](#)  
**To:** [Malcolm Fleming](#); [Robert Muckle](#); [Hank Dalton](#); [Jay Keany](#); [Susan Loo](#); [Ronald Sackett](#); [Frost Yarnell](#)  
**Cc:** [City Council](#)  
**Subject:** Fwd: Reported Abandoned Vehicle/Officer Alex Rugalsky/Feb. 26  
**Date:** Wednesday, February 06, 2013 11:47:48 AM

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City Council,

Here is a 1 copy of an e-mail between me and the Chief of Police for my February 26 study meeting with you folks. I have 4 more to send today.

If you have any questions, please feel free to contact me.

Bev Beaufait

-----Original Message-----

**From:** Bruce Goodman [mailto:bruceg@louisvilleco.gov]  
**Sent:** Friday, May 25, 2012 07:01 AM  
**To:** 'Bev Beaufait', 'Robert Muckle'  
**Cc:** 'Malcolm Fleming', 'Meredyth Muth'  
**Subject:** RE: Reported Abandoned Vehicle/Officer Alex Rugalsky

Last night we heard from the owners of the truck. It belongs to a couple who recently moved to Louisville and who just purchased the vehicle. The husband and wife are a little distressed about why the selective enforcement against them. Commander Kingston will speak with them and convey our assurances that this is all quite routine and innocent. For the Louisville Police Department, the matter of an abandoned vehicle is closed.

Thank you,

Bruce Goodman

**From:** Bev Beaufait [mailto:bbeaufa@beaufait.com]  
**Sent:** Friday, May 25, 2012 6:42 AM  
**To:** Robert Muckle  
**Cc:** Bruce Goodman  
**Subject:** Fwd: Reported Abandoned Vehicle/Officer Alex Rugalsky

Mayor Bob,

I am forwarding my e-mail from Bruce. I have already replied to Bruce.

Bruce tried to dump garbage me by saying I gave incorrect information on the abandoned vehicle on my street. He tried to insinuate that I was too dumb to know my own address. What his statement really shows is that the Code Enforcement Officer who handled my call, was not listening to me, as I have

correctly stated all along.

Bruce claims in his e-mail to me that a number of his officers are "unaware of a Louisville ordinance" pertaining to parking distances from a stop sign. He gave me an instance with a crosswalk comparison. Well, if his officers are that unaware of the law, it is obvious to me that they need retraining of the Code Enforcement Laws for the City of Louisville. If there is such a program then please enlist these below mentioned Officers for a refreshment course. I go to the City of Louisville's Code Enforcement web pages for my info. :))

When Officer Rugalsky first came to my house yesterday, we introduced ourselves to each other. His first statement right after our introductions was this. "I have heard of this house before. I know all about it." Why would he start out a conversation to me this way? His threatening and intimidating statement right off the bat was to scare me into submission, in my humble opinion. Officer Rugalsky never even mentioned one word about my calling about an abandoned vehicle. I had to stop him in his tracks with his sociopathic statement and redirect our conversation to the reason I called Code Enforcement in the first place.

And why would Bruce waste taxpayer money to send out a City of Louisville Police Officer to handle a "Code Enforcement" situation, anyway? To scare and intimidate. That is why. This tactic is old hat and does not work any more. Sorry.

When Officer Rugalsky left my house, he kept trying to give me his version of the law. It was "The City of Louisville Law, According to the World of Alex Rugalsky". He kept repeating that HE knew the law. He was furious with me, because I would not let him try to intimidate me. I watched him until he got in his City vehicle and left my property.

Officer Alex Rugalsky owes me a written apology. I feel his sociopath behavior toward me requires this action. He is a leading Officer in the Police Department and he needs to lead by example. His example left much to be desired in my eyes.

Thanks for your time.

Sincerely,

Bev Beaufait

388 W. Elm St.

303-673-0247

-----Original Message-----

**From:** Bruce Goodman [<mailto:bruceg@louisvilleco.gov>]

**Sent:** Thursday, May 24, 2012 04:02 PM

**To:** [bbeaufa@beaufait.com](mailto:bbeaufa@beaufait.com)

**Cc:** 'Susan Loo', 'Malcolm Fleming', 'Meredyth Muth'

**Subject:** Reported Abandoned Vehicle

May 24, 2012

Dear Ms. Beaufait:

Your complaints about the abandoned vehicle and the actions of Louisville Police personnel were forwarded to me. I believe it is unproductive to go through every detail of your two emails, so I have attempted to condense the issues and my responses.

? When you called dispatch on May 18 you stated an incorrect location for the truck. Officer Martin was dispatched to that location and finding no such vehicle assumed it had been moved.

? We are unaware of your reporting abandoned vehicles during the two weeks prior to May 18.

? Based upon your call to dispatch today, Officer Martin found the truck and determined the registered owner to be from another city. Unable to contact the owner, he acted within our protocol of placing an Abandoned Vehicle warning tag on the vehicle. This gives the owner a fair opportunity to contact us or move the vehicle before it is ticketed or towed.

? Officer Martin, Sergeant Ragulsky and Commander Kingston are all unaware of a Louisville ordinance pertaining to the parking distance from a stop sign. The Model Traffic Code of Colorado prohibits parking within 20 feet of a painted crosswalk at an intersection.

? I am sorry that you believe you are being ignored. Officers responded immediately to each of your complaints and, I believe, acted appropriately in each instance. It is my experience that Louisville Officers care very much about the appearance of our City.

? I assure you that we are attending to your complaint and that future actions by the Officers will be based upon what is legal and suitable.

? Your gender is irrelevant in our responses to this matter.

Thank you,

Bruce Goodman

Chief of Police

303.335.4633

**From:** [Bev Beaufait](#)  
**To:** [Malcolm Fleming](#); [Robert Muckle](#); [Hank Dalton](#); [Jay Keany](#); [Susan Loo](#); [Ronald Sackett](#); [Frost Yarnell](#)  
**Cc:** [City Council](#)  
**Subject:** Fwd: City Abandon Car Codes/Feb. 26 Study Meeting  
**Date:** Wednesday, February 06, 2013 12:54:08 PM

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City Council,

Here is a 1 copy of an e-mail between me and the Chief of Police for my February 26 study meeting with you folks. I have 4 more to send today.

This e-mail from Chief Bruce amazed me with his refusal to enforce our Municipal Parking Code and blaming me.

If you have any questions, please feel free to contact me.

Bev Beaufait

-----Original Message-----

**From:** Bruce Goodman [mailto:[BruceB@louisvilleco.gov](mailto:BruceB@louisvilleco.gov)]  
**Sent:** Monday, December 17, 2012 05:07 PM  
**To:** 'Bev Beaufait'  
**Subject:** RE: City Abandon Car Codes

Mrs. Beaufait:

A motor vehicle is not abandoned when it has a current vehicle registration, when is mechanically operable, and when it remains under the control of a owner or operator. By your own descriptions, it isn't abandoned because the owner moves it. In Louisville, parking on the street is not against the law and the Police Department will not pester people because you do not like the appearance of parked cars in your neighborhood. I'm sorry that your disagree, but the Police Department will not take action for this and similar parking issues.

Bruce Goodman,

Chief of Police

**From:** Bev Beaufait [mailto:[bbeaufa@beaufait.com](mailto:bbeaufa@beaufait.com)]  
**Sent:** Thursday, December 13, 2012 11:32 AM  
**To:** Bruce Goodman  
**Subject:** City Abandon Car Codes

Bruce,

The tan truck is still abandoned next to Sundance Park on Sycamore Street.

Over the years, I have been given/told many versions of "neighborhood parking on City streets" over the years. It has been very confusing. The version depends on who I speak with.

This tan truck was first reported last March for this truck being abandoned. The owner moved it. Then it was reported in May as abandoned on W. Elm Street in front of the Stop Sign at that intersection. The owner moved it. This tan truck was again reported as abandoned in October and again November. Both times the owner moved the truck temporarily, only to abandon it next to Sundance Park again and again. Pictures were sent proving this recurring abandonment situation to Code Enforcement, who cannot control the owner of this tan truck.

Others who have been "tagged", moved their vehicles ASAP. The owner of this tan truck does not.

Why is not the owner of this tan truck also "tagged", as abandoned for removal? Or is it? Is the owner of this truck only told to "move" the vehicle? Why is the owner of this tan truck not compliant with the "only a few days neighborhood parking allowed"?

Can our City Attorney check out the laws for folks who do not comply, like others?

This truck owner should not be allowed to be allowed to constantly park on our City streets. If this owner needs more parking space, the owner should rent parking space elsewhere for "long term" parking for his needs, as others do. He has room in front of his house to park the truck. We in the neighborhood assume he does not want to look at it in front of his house. We in the neighborhood do not want to look at this truck parked next to Sundance Park for 2 weeks out of every month since October. And just around the corner is the fire hydrant, to boot.

This time around, the tan truck first parked at Sundance Park on Sycamore Street on Friday, November 30. It was late at night; I did not get a picture. But, I have sent you the pictures dated December 1 to 6. Here are pictures from December 7 to today showing the tan truck still abandoned. So, that makes 13 days in a row for this vehicle parked there with picture proofs. A number of years ago, Code Enforcement told me that 14 days is the limit for abandoned vehicles in residential neighborhoods.

Sincerely,  
Bev Beaufait

**From:** [Bev Beaufait](#)  
**To:** [Malcolm Fleming](#); [Robert Muckle](#); [Hank Dalton](#); [Jay Keany](#); [Susan Loo](#); [Ronald Sackett](#); [Frost Yarnell](#)  
**Cc:** [City Council](#)  
**Subject:** Fwd: City Abandon Car Codes/Feb. 26 Study Meeting  
**Date:** Wednesday, February 06, 2013 1:54:44 PM

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City Council,

Here is a 1 copy of an e-mail between me and the Chief of Police for my February 26 study meeting with you folks. I have 2 more to send today.

If you have any questions, please feel free to contact me.

Bev Beaufait

-----Original Message-----

**From:** Bruce Goodman [mailto:[BruceB@louisvilleco.gov](mailto:BruceB@louisvilleco.gov)]  
**Sent:** Wednesday, January 2, 2013 11:08 AM  
**To:** 'Bev Beaufait'  
**Subject:** RE: City Abandon Car Codes

There will be no enforcement action against the "Mr. Rooter" truck.

Bruce Goodman

**From:** Bev Beaufait [mailto:[bbeaufa@beaufait.com](mailto:bbeaufa@beaufait.com)]  
**Sent:** Wednesday, January 02, 2013 6:25 AM  
**To:** Bruce Goodman  
**Subject:** Re: City Abandon Car Codes

The white "commercial" truck from Mr. Rooter has been **unmoved** in our neighborhood since December 24.

I have seen 2 cop cars go by and do nothing, as it is **unmoved**.

If a car was left on Pine Street or Hover Street, as being **unmoved**, the vehicle would be gone quickly.

What is the difference between the 2 situations? According to my legal sources, there is none.

Bev Beaufait.

-----Original Message-----

**From:** Bruce Goodman [<mailto:BruceB@louisvilleco.gov>]

**Sent:** Monday, December 17, 2012 05:07 PM

**To:** 'Bev Beaufait'

**Subject:** RE: City Abandon Car Codes

Mrs. Beaufait:

A motor vehicle is not abandoned when it has a current vehicle registration, when is mechanically operable, and when it remains under the control of a owner or operator. By your own descriptions, it isn't abandoned because the owner moves it. In Louisville, parking on the street is not against the law and the Police Department will not pester people because you do not like the appearance of parked cars in your neighborhood. I'm sorry that your disagree, but the Police Department will not take action for this and similar parking issues.

Bruce Goodman,

Chief of Police

**From:** Bev Beaufait [<mailto:bbeaufa@beaufait.com>]

**Sent:** Thursday, December 13, 2012 11:32 AM

**To:** Bruce Goodman

**Subject:** City Abandon Car Codes

Bruce,

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This tan truck was first reported last March for this truck being abanoned. The owner moved it. Then it was reported in May as abandoned on W. Elm Street in front of the Stop Sign at that intersection. The owner moved it. This tan truck was again reported as abandoned in October and again November. Both times the owner moved the truck temporarily, only to abandon it next to Sundance Park

again and again. Pictures were sent proving this recurring abandonment situation to Code Enforcement, who cannot control the owner of this tan truck.

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Sincerely,

Bev Beaufait

**From:** [Bev Beaufait](#)  
**To:** [Malcolm Fleming](#); [Robert Muckle](#); [Hank Dalton](#); [Jay Keany](#); [Susan Loo](#); [Ronald Sackett](#); [Frost Yarnell](#)  
**Cc:** [City Council](#)  
**Subject:** Fwd: Commercial Vehicles/Feb. 26 Study Meeting  
**Date:** Wednesday, February 06, 2013 2:47:54 PM  
**Attachments:** [truck.jpg](#)  
[truck1.jpg](#)

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City Council,

Here is a 1 copy of an e-mail, where I first starting sending pics to the Chief of Police, for my February 26 study meeting with you folks. I have 1 more to send today.

This is the vendor that will not leave our neighborhood. They kept coming back, even when told not to park, as a commercial vehicle in our residential neighborhood. There is 1 truck parked on W. Elm Street, as I type this e-mail to you. It is the large gray truck nearest to the stop sign.

If you have any questions, please feel free to contact me.

Bev Beaufait

-----Original Message-----

**From:** Bev Beaufait [mailto:[bbeaufa@beaufait.com](mailto:bbeaufa@beaufait.com)]

**Sent:** Thursday, June 28, 2012 06:02 AM

**To:** 'Bruce Goodman'

**Subject:** Commercial Vehicles

Bruce,

There are commercial vehicles constantly parked in our neighborhood. It is a Mr. Rooter truck that has not been moved in weeks.

I took pics this morning of workers meeting by Sundance Park to start their work day. The pics follow.

This is a residential neighborhood. This is not a commercial neighborhood.

These commercial vehicles/trucks need to be parked on commercial property, not residential property.

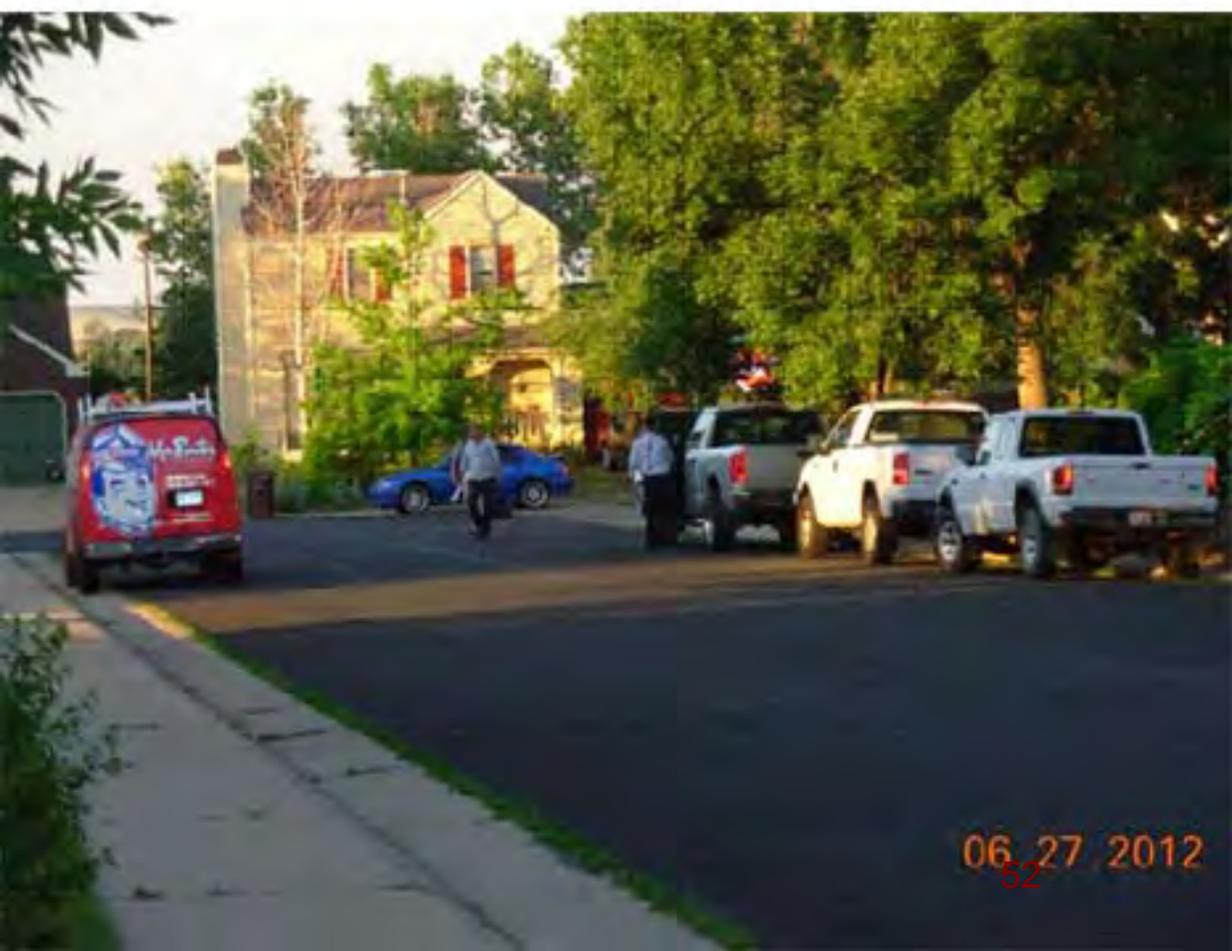
If Code Enforcement would inform the owners of these commercial vehicles the residential laws for parking residential versus commercial vehicles on a permanent basis in a residential neighborhood, that would help this situation permanently.

These are new neighbors that don't know our City Codes.

Thanks for your quick help.

Sincerely,  
Bev Beaufait  
388 W. Elm St.  
303-673-0247





**From:** [Bev Beaufait](#)  
**To:** [Malcolm Fleming](#); [Robert Muckle](#); [Hank Dalton](#); [Jay Keany](#); [Susan Loo](#); [Ronald Sackett](#); [Frost Yarnell](#)  
**Cc:** [City Council](#)  
**Subject:** Fwd: Municipal Code Research/Feb. 26 Study Meeting  
**Date:** Wednesday, February 06, 2013 2:57:18 PM

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City Council,

This is for the February 26 Study Meeting, which I will be attending. It is the last e-mail to you. It is an e-mail that I have written to Chief Bruce about the parking/abandoned/non-enforcement vehicle problem in our neighborhood, since June, 2012.

Remember, all this information I have sent to you today is FYI only.

Thanks for your time in this matter.

Bev Beaufait

-----Original Message-----

**From:** Bev Beaufait [mailto:[bbeaufa@beaufait.com](mailto:bbeaufa@beaufait.com)]  
**Sent:** Thursday, January 3, 2013 10:12 AM  
**To:** 'Bruce Goodman'  
**Subject:** Re: Municipal Code Research

Bruce, you are kicking the can down the road. Unless one knows the exact laws the cops use in Louisville, one does not know which one to change.

Please stop being political.

Be a citizen of the City of Louisville.

You know the laws and vague.

You and the Mayor know the laws need changing.

By not saying which laws you use, it comes across as not wanting to divulge private police info for changing the laws.

I will be bringing in all e-mails from you showing that you, yourself, use many laws for many circumstances.

That also leads folks to believe that if the cops have a vendetta against someone, the cops can interpret the laws to suit the circumstances. Which is the case now.

I got it loud and clear. It is all political. You won't tell the truth.

Bev Beaufait.

-----Original Message-----

**From:** Bruce Goodman [mailto:[BruceB@louisvilleco.gov](mailto:BruceB@louisvilleco.gov)]  
**Sent:** Thursday, January 3, 2013 09:31 AM  
**To:** 'Bev Beaufait'  
**Subject:** RE: Municipal Code Research

Mrs. Beaufait:

The Police Department uses all the codes, ordinances, and laws applying them as

warranted to each unique situation. You need to do your own research and it is up to you to make recommendations of changes that you believe are appropriate or necessary.

Bruce Goodman

**From:** Bev Beaufait [<mailto:bbeaufa@beaufait.com>]  
**Sent:** Thursday, January 03, 2013 9:18 AM  
**To:** Bruce Goodman  
**Subject:** Re: Municipal Code Research

Bruce,

I know that. I want to know the EXACT law YOU and your police department uses. The Mayor is setting this up for me. I know you have the information. I would dislike to have to take these e-mails from you showing that you will not state the EXACT laws the City of Louisville is using.

Thanks.

Bev Beaufait.

-----Original Message-----

**From:** Bruce Goodman [<mailto:BruceB@louisvilleco.gov>]  
**Sent:** Thursday, January 3, 2013 08:46 AM  
**To:** 'Bev Beaufait'  
**Subject:** Municipal Code Research

Mrs. Beaufait:

Regarding municipal ordinances, I recommend you research the Louisville Municipal Code and the Model Traffic Code For Colorado, revised 2010. Possible sources of these documents are the Internet, the Louisville Public Library, and the Louisville City Clerk's Office at City Hall.

Bruce Goodman

**From:** Bev Beaufait [<mailto:bbeaufa@beaufait.com>]  
**Sent:** Thursday, January 03, 2013 7:59 AM  
**To:** Bruce Goodman  
**Subject:** Re: City Abandon Car Codes

Thanks for your response.

I am enclosing a link to our City Code online. I sent you a code from this link about "parking/abandoned/unmoved" vehicles. It showed no length of time for this situation. So, I guess it is up to the Code Enforcement Department to "decide".

If you would be so kind as to let me know through the online City Code link, **EXACTLY** which code you are using to enforce the laws, it would be helpful when I present this situation to City Council. They need to know what laws the cops are using, too.

If the Code law you are using is not currently updated to our online City Code, would you please be so kind as to take a copy of the law you do use?

Could you please leave it at the front desk of the cop station for me to pick up to use to present as a fact to City Council? I don't want to look like a fool, and I assume that the same for you, going before City Council with the wrong information.

I don't like words like, "do not make decisions based upon address, neighborhood, community standing, or any other capricious standard". That does not state facts. It is opinion.

I need true facts, through City Codes, as proofs of laws that need improvement.  
:))))))

<http://library.municode.com/index.aspx?clientID=13149&stateID=6&statename=Colorado>

Bev Beaufait.

**From:** [Bev Beaufait](#)  
**To:** [Robert Muckle](#)  
**Subject:** Re: City Abandon Car Codes/Feb. 26 Study Meeting  
**Date:** Thursday, February 07, 2013 7:06:03 AM

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Bob,

You wrote a rather hasty e-mail to me, without reading the other e-mails from January 3, that I sent to you later on in the day. Hmmmmm.

As you can see in the last e-mails I forwarded to you from Bruce, that even he does not even know the exact code. In his own words he stated that he uses all the laws from the library, City Hall, online, etc.

With you blasting out this kind of message to City Council, before I even sent out all of my information shows to me, by your actions, that you are trying to sabotage my message to City Council.

You truly should have waited until you got all of my e-mails before making such a off the cuff statement about Chief Bruce being correct.

And you only wrote me this current e-mail, after I blasted out to everybody the e-mail you sent to me telling me that Chief Bruce was correct.

So, because you sent out this e-mail to everybody, you are trying to sway their opinions, before City Council even gets all the facts. This is more proof of why you cannot be trusted. You are trying to ruin my presentation.

The law clearly states that vehicles with advertising cannot be parked on cannot be parked on our streets indefinitely. Theses commercial vehicles have the advertising on them, which makes it illegal to park them.

Did you even look at the URL address with all the pics of all the cars with all the commercial logos on them?

Chief Bruce states in the last conversations that I had with him that there was no clear "limit" for parking on City streets.

That is my point. We don't want lots of vehicles clogging our City streets with commercial or private vehicles.

That is why time limits need to be added for parking, so Code Enforcement can protect the citizens who taxes pay their salary.

Again, if you choose to have vehicles park in front of your house that do not belong to you, and you choose to let your street become a parking lot, do not force those ideas on others.

I will see you on February 26.

Bev Beaufait.

-----Original Message-----

**From:** Robert Muckle [mailto:[bobm@Louisvilleco.gov](mailto:bobm@Louisvilleco.gov)]

**Sent:** Wednesday, February 6, 2013 02:32 PM

**To:** 'Bev Beaufait', 'Malcolm Fleming', 'Hank Dalton', 'Jay Keany', 'Susan Loo', 'Ronald Sackett', 'Frost Yarnell'

**Cc:** 'City Council'

**Subject:** RE: City Abandon Car Codes/Feb. 26 Study Meeting

Bev:

I believe the chief has been correct in his responses to you. It is legal to park a vehicle on Louisville Streets if the vehicle is operable and registered. There is not a time limit. The section of code you quoted in a previous email is related to off street parking requirements and does not apply to on street parking. The issue, I believe, is whether we as a community want to change our current laws about on street parking. The police seem to be correctly enforcing the current code.

Bob

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**From:** Bev Beaufait [mailto:bbeaufa@beaufait.com]

**Sent:** Wed 2/6/2013 1:54 PM

**To:** Malcolm Fleming; Robert Muckle; Hank Dalton; Jay Keany; Susan Loo; Ronald Sackett; Frost Yarnell

**Cc:** City Council

**Subject:** Fwd: City Abandon Car Codes/Feb. 26 Study Meeting

City Council,

Here is a 1 copy of an e-mail between me and the Chief of Police for my February 26 study meeting with you folks. I have 2 more to send today.

If you have any questions, please feel free to contact me.

Bev Beaufait

-----Original Message-----

**From:** Bruce Goodman [mailto:BruceB@louisvilleco.gov]

**Sent:** Wednesday, January 2, 2013 11:08 AM

**To:** 'Bev Beaufait'

**Subject:** RE: City Abandon Car Codes

There will be no enforcement action against the ?Mr. Rooter? truck.

Bruce Goodman

**From:** Bev Beaufait [mailto:bbeaufa@beaufait.com]

**Sent:** Wednesday, January 02, 2013 6:25 AM

**To:** Bruce Goodman

**Subject:** Re: City Abandon Car Codes

The white "commercial" truck from Mr. Rooter has been **unmoved** in our neighborhood since December 24.

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residential neighborhoods.

Sincerely,

Bev Beaufait

**SUBJECT: BUSINESS ASSISTANCE PROGRAM STATISTICS**

**DATE: FEBRUARY 26, 2013**

**PRESENTED BY: AARON DEJONG, ECONOMIC DEVELOPMENT**

**SUMMARY:**

The memorandum summarizes the performance of businesses and projects that have received assistance through the City's Business Assistance Program.

**BACKGROUND:**

In January 2007, the City Council approved an ordinance establishing a business assistance program (BAP). This program was developed by the City Council's Business Retention and Development Committee. The program was approved by the City Council through Ordinance 1507, Series 2007. The ordinance describes the purpose of the BAP program as:

"The purpose of the BAP created by this chapter is to encourage the recruitment, retention, establishment and/or substantial expansion of sales tax generating businesses and employers within the city, thereby stimulate the economy of and within the city, providing employment for residents of the city and others, further expanding the goods and services available for purchase and consumption by businesses and residents of the city, and further increasing the sales taxes and fees collected by the city, which increased sales tax and fee collections will enable the city to provide expanded and improved municipal services to and for the benefit of the residents of the city, while at the same time providing public or public-related improvements at no cost, or at deferred cost, to the city and its taxpayers and residents.

The City's program offers four basic types of incentives, all of which are rebates of fees and taxes paid: sales tax, building permit fees, construction use taxes, and consumer use tax.

**Sales Tax Rebates** – If a business is going to bring new retail sales to the community, the City has the ability to incent the business to come to Louisville by rebating a portion of the City's general sales taxes back to the business. The rebate is on new sales and doesn't apply to existing sales in the community if the business is already located in Louisville. The timeframe for when the rebate applies to sales varies depending on the size and desirability of the new or expansion project.

**Building Permit Fee Rebates** – The City can rebate a portion of the building permit fees associated with a new building or remodel of an existing building to incent job creation or new retail sales. Louisville has generally offered rebates of 50% the cost of

these fees. The rebates are paid only after the City's Building Safety Division has issued a Certificate of Occupancy for the project.

**Construction Use Tax Rebates** – With a new building or remodel, a construction use tax is applied to the materials used to construct the project. The City can rebate a portion of these taxes to incent the project. These rebates are also paid out after the project has received a Certificate of Occupancy.

**Consumer Use Tax Rebates** – For some projects, the business needs to buy items they need to operate the business, such as furniture, fixtures and equipment. Businesses are required to pay the consumer use tax if they purchase these items from outside the community and don't pay sales tax on the items. The City can rebate a portion of these taxes if the project meets the program's qualifications.

**DISCUSSION:**

Since 2007, 42 assistance packages have been approved by the City Council. Ten of these agreements either did not result in the business or project not coming to Louisville or the business or project did not meet the requirements to receive the assistance (i.e. didn't occur in the timeframe specified in the agreement). Of the completed and on-going 32 projects, 12 are for retail projects and 20 are commercial/industrial projects.

Several sources of data were obtained to provide statistics to analyze the effect the Business Assistance Program has had on the Louisville economy. Permit fees paid and construction values were obtained from Building Safety Division. These values include construction costs of new buildings (if applicable) and any tenant finishes which were directly related to project incented by the Business Assistance Package. The Finance Department provided the amounts of incentives paid out from Assistance Agreements through the end of 2012. Staff obtained jobs and wage data from the State of Colorado's Quarterly Census of Employment and Wages (QCEW) data from the second quarter of 2012. This information is confidential at the business level, but can be provided in aggregate to prevent distribution of information about a particular business.

This analysis is a snapshot of the program as of the end of 2012. Several projects have not begun (i.e. Alfalfa's) or are in the middle of construction (i.e. Sierra Nevada) so the full effect of the projects have yet to be documented.

The analysis separated the projects into retail and commercial categories, as a main goal of incenting retail is to encourage new sales in the community, and incenting commercial projects is to encourage quality primary job growth. The following table outlines the critical data points associated with the projects offered assistance by the City.

**Table 1: Summary of Incentives and Benefits from Business Assistance Packages**

	Retail	Commercial	Total
Incentives Paid	\$ 233,167	\$ 225,013	\$ 458,179
Retained Jobs	-	575	575
Created Jobs	217	1,120	1,337
Total Jobs	217	1,695	1,912
Total Annual Wages	\$ 3,832,840	\$ 122,583,804	\$ 126,416,644
Average Wage/Salary	\$ 17,663	\$ 72,321	\$ 66,117
Annual Sales Tax	\$ 363,258	N/A	\$ 363,258
Permit Fees Paid	\$ 100,243	\$ 726,616	\$ 826,858
Construction Cost	\$ 3,687,033	\$ 17,229,208	\$ 20,916,241
Incentives per Job	\$ 1,075	\$ 133	\$ 240
Annual Sales Tax \$ per Incentive \$	\$ 1.56	N/A	N/A
Construction \$ per Incentive \$	\$ 15.81	\$ 76.57	\$ 45.65

Focusing on the retail projects, every dollar of incentives provided to the retail projects facilitated \$1.56 of new annual sales tax revenue to the City. Total annual sales tax receipts to the City total \$363,258. The retail projects created 217 new jobs with an average wage of \$17,663. These are typically part-time positions and wages tend to be lower in the retail sector.

The commercial projects have retained 575 jobs and created 1,120 new jobs in Louisville, resulting in total employment from these projects of 1,695 jobs. The average annual wage for these jobs is \$72,321. On average the incentive paid per job, either created or retained, is \$133.

The Business Assistance Packages have encouraged improvements to property totaling \$20,916,000 either through tenant improvements or new construction. Every dollar of incentive paid out through the program has leveraged \$45.65 of improvements in property.

Overall, the program has encouraged significant job growth, new sales tax revenue, and investments in property in the community. The program has been more aggressive in providing assistance to retail projects, but long-term retail projects provide an on-going source of revenue to the City. The incentive per job of \$133 to encourage primary job growth is an excellent value given the benefit high-paying quality jobs provide to the economic condition of the area. The paid incentives leverage a significant amount of improvement to property. These improvements boost the property tax revenue to the City, School District, Fire District and County.

**SUBJECT: BUSINESS ASSISTANCE PROGRAM STATISTICS**

**DATE: FEBRUARY 26, 2013**

**PAGE 4 OF 4**

**FISCAL IMPACT:**

Because all financial assistance under the program is a rebate of taxes and fees paid, the City has no annual budgeted amount for the program and incentives are intended to be offset by the additional revenue resulting from business retentions, expansions or relocations that happen in Louisville.

**RECOMMENDATION:**

This memorandum is for informational purposes only.

**ATTACHMENTS:**

None