

**ORDINANCE NO. 2276**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO, AMENDING CHAPTER 5.15 NOISE; SECTION 5.15.010 DEFINITIONS, AND SECTION 5.15.040 OF THE GOLDEN MUNICIPAL CODE CONCERNING RESTRICTIONS ON AMPLIFIED OUTDOOR MUSIC**

WHEREAS, the City of Golden, Colorado, (“Golden” or the “City”), is a home rule municipality, organized and existing under Article XX, Section 6 of the Colorado Constitution; and

WHEREAS, Chapter 5.15 of the Golden Municipal Code sets forth the City’s priority to protect and preserve the community’s right to peace and quiet in the use of their property by prohibiting excessive sound which may jeopardize the health, welfare, or safety of its citizens or degrade their quality of life; and

WHEREAS, the City Council desires to regulate the use of amplified outdoor music in the downtown corridor to preserve a business’s ability to operate without the interference of excessive sound and to ensure that residents and visitors enjoy the downtown public right-of-way without excessive noise created by amplified music; and

WHEREAS, the intended regulation prohibits the use of amplified outdoor music originating from the public right-of-way within the Downtown Development Authority boundaries; and

WHEREAS, the City Council has reviewed the proposed amendments to the Golden Municipal Code and has determined that such changes are in the best interest of the public health, safety, and welfare and desires to adopt the same.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

**Section 1.** The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of City Council.

**Section 2.** Section 5.15.010 of the Golden Municipal Code, “*Definitions.*”, is hereby amended to read as follows, with additions shown in underline and deletions shown in ~~strikethrough~~:

**CHAPTER 5.15 NOISE**

**5.15.010 – Definitions.**

*Amplified outdoor music* means the amplification of musical instruments and devices, including but not limited to percussive instruments, strings instruments, microphones or other similar devices used to amplify singing, pre-recorded music, or broadcasted music, through the

~~use of or sound equipment to produce or amplify sound~~ that is not fully enclosed by permanent, solid walls, and a roof.

**Section 3.** Section 5.15.040 of the Golden Municipal Code, “*Restrictions amplified outdoor music.*”, is hereby amended to read as follows, with additions shown in underline and deletions shown in ~~striketrough~~:

**5.15.040 – Restrictions on amplified outdoor music.**

1. It shall be unlawful for any person to make, cause to be made, or to permit amplified outdoor music upon any premises possessed or controlled by such person:
  - (a) When such music occurs between the hours of 10:00 p.m. through 7:00 a.m. of the next day; or
  - (b) When any amplified outdoor music exceeds 65 dBa as measured at or inside a property line other than that on which the amplified outdoor music originates.
2. It shall be unlawful for any person to make, cause to be made, or to permit amplified outdoor music which originates from the public right-of-way within the Downtown Development Authority boundaries as described in section 2.48.070.
  - (a) For purposes of this subsection, “public right-of-way” means any public street, way, place, alley, sidewalk, easement, or city-owned right-of-way dedicated to public use.
  - (b) This subsection shall not apply to city approved special events.

**Section 4.** If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision will not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

**Section 5.** All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

**Section 6.** The repeal or modification of any provision of the Municipal Code of the City of Golden by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any

judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

**Section 7.** This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

**Section 8.** The codifier of the City’s Municipal Code, Municode, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this ordinance within the Golden Municipal Code.

**Section 9.** Violations of this ordinance shall be punishable in accordance with the provisions of Section 8.25.010 “Administrative Citations” of the Golden Municipal Code.

**Section 10.** This ordinance shall become effective five (5) days after publication following passage in accordance with Section 5.9 of the Charter for the City of Golden, Colorado.

INTRODUCED, READ, AND PASSED AS AN ORDINANCE, ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO, THE 8<sup>th</sup> DAY OF JULY, 2025.

READ, PASSED, AND ADOPTED AS AN ORDINANCE ON SECOND READING, FOLLOWING A PUBLIC HEARING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO, THE 22<sup>nd</sup> DAY OF JULY, 2025.



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Laura M. Weinberg  
Mayor

ATTEST:

*Lisa Petersen*

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Lisa Petersen  
City Clerk

APPROVED AS TO FORM:

*Sandra Llanes*

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Sandra M. Llanes  
City Attorney

I, Lisa Petersen, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced on first reading and read at the regular business meeting of the City Council of said city, held on 8<sup>th</sup> day of July, 2025 and was published as a proposed ordinance on the city website as the law directs seven days or more prior to its passage. A public hearing was held on the 22<sup>nd</sup> day of July, 2025, and the said proposed ordinance was read on second reading. The ordinance was passed by the City Council and ordered published on the City of Golden's website, as the law directs on the 22<sup>nd</sup> day of July, 2025.



ATTEST: *Lisa Petersen*  
Lisa Petersen, City Clerk of  
the City of Golden, Colorado












# ORDINANCE NO 2276

Final Audit Report

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