

**CITY OF EDGEWATER**  
**ORDINANCE NO. 2025-10**  
**SERIES OF 2025**

**AN ORDINANCE AMENDING CHAPTER 7 OF THE EDGEWATER MUNICIPAL CODE, CONCERNING HEALTH, SANITATION AND ANIMALS, BY AMENDING SECTION 7-1-10, CONCERNING DEFINITIONS; EDITING REFERENCES TO “RUBBISH”; AMENDING SUBSECTIONS 7-2-30(A), CONCERNING PROHIBITED DEPOSITS; AND 7-2-35(A), CONCERNING PROHIBITED DISCHARGE TO THE STORM WATER SEWER SYSTEM; SECTIONS 7-2-90, CONCERNING GARBAGE AND ANIMAL WASTE; 7-2-120, CONCERNING VACANT RESIDENTIAL DWELLINGS; 7-2-130, CONCERNING DEAD AND DISEASED TREES; 7-3-30, CONCERNING NUISANCE VEHICLES ON PRIVATE PROPERTY; 7-3-40, CONCERNING VEHICLE HOBBY REPAIR; 7-4-40, CONCERNING YARD DEBRIS; SUBSECTION 7-4-50(A), CONCERNING CITY WASTE SERVICES; SECTIONS 7-4-110, CONCERNING TRASH CONTAINER PLACEMENT; 7-5-10, CONCERNING THE UNDESIRABLE PLANT MANAGEMENT BOARD; 7-5-30, CONCERNING THE DEPOSIT OF YARD DEBRIS ON PUBLIC PROPERTY; 7-6-10, CONCERNING DEFINITIONS RELATED TO ANIMAL REGULATIONS; REPEALING SECTIONS 7-6-250, 7-6-260 AND 7-6-270, CONCERNING DOG LICENSING; AMENDING SUBSECTION 7-6-360(A), CONCERNING SLAUGHTERING OF ANIMALS; AND SECTIONS 7-6-410, CONCERNING GUARD DOGS; AND 7-7-50, CONCERNING RENTAL PROPERTY OCCUPANCY LIMITS**

WHEREAS, pursuant to section 6.10(2) of the City Charter, the City Council has established a schedule for reviewing all ordinances of a general and permanent nature that were adopted prior to the effective date of the City Charter; and

WHEREAS, pursuant to section 6.10(1) of the City Charter, the City Council is to review all ordinances of a general and permanent nature that were adopted on or after the effective date of the City Charter at least once every six (6) years after adoption, and at least once every six (6) years thereafter; for possible amendment or repeal; and

WHEREAS, over the course of 2024, the City Council reviewed the entirety of the Edgewater Municipal Code in accordance with the above-referenced provisions of the City Charter; and

WHEREAS, as a result of that review, the City Council finds that Chapter 7 of the Edgewater Municipal Code, concerning health, sanitation and animals, should be amended as set forth herein in order to repeal or amend provisions that are obsolete or inconsistent with current provisions of the City Charter, or are otherwise outdated or inconsistent with desired practices or limitations related to its general provisions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDGEWATER, COLORADO, THAT:

Section 1. Section 7-1-10 of the Edgewater Municipal Code ("Code"), concerning definitions related to Chapter 7, is hereby amended by the amendment and addition of the following terms within with alphabetical list of defined terms thereunder, as follows:

*Abandoned motor vehicle* means:

- a. Any motor vehicle left unattended on private property for a period of twenty-four (24) hours or longer without the consent of the owner, occupant or tenant of such property or his or her legally authorized agent; or
- b. Any motor vehicle left unattended on public property, including any portion of a street or highway right-of-way, within the limits of the City for a period of ~~twenty-four (24)~~ forty-eight (48) hours or longer, unless the owner or driver has conspicuously affixed thereto a dated notice, or otherwise notified the Police Department of his or her intention to remove such vehicle within seventy-two (72) hours, or the vehicle is parked on a public street within fifty (50) feet of the property of the owner; or c. Any motor vehicle determined to be lost, stolen or unclaimed.

*Code Enforcement Officer* means the Chief of Police or Community Development Director or ~~his or her~~ their designee, or any other designated agent of the City.

*Garbage* means wastes resulting from the handling, preparation, cooking, and consumption, ~~storage and sale of food and beverages and wastes from the handling, storage and sale of produce.~~ Garbage includes kitchen and table refuse, offal, swill and every accumulation of animal, vegetable or any food product or other matter that attends the preparation, consumption, decay or storage of meats, fish, birds, vegetable or any other food or matter for any purpose. Garbage does not include animal manure, human excretion and dead animals.

~~Rubbish~~ Refuse includes all garbage, junk, litter, debris, waste, rejected matter and trash.

*Trash* means combustible refuse, including but not limited to paper, cartons, boxes, barrels, wood (except stacked firewood and stacked construction materials), tree branches, yard trimmings, dead plant material, and ~~wood or upholstered furniture, bedding or of~~ similar substance or material; noncombustible refuse, including but not limited to metals, tin or aluminum cans, metal furniture, dirt, rocks, pieces of concrete, glass, crockery or other minerals or mineral wastes; and all manner of refuse in the street ~~rubbish, including but not limited to street sweepings, dirt, leaves, catch bag dirt and contents of litter receptacles;~~

provided however, that such does not include earth and waste from building construction during the period in which a valid building permit issued by the City is active.

~~Weeds means any plant listed as an invasive species by the Colorado State University Extension Service or listed on the Colorado or Jefferson County Noxious Weed Lists, but is not limited to, any noxious plant which has been determined by the state noxious weed control board to be injurious to crops, livestock, or other property and which may conceal filthy deposits of rubbish, trash, garbage, junk, or litter or which may conceal any health hazards or unsafe conditions. Weeds does not include flower gardens, shrubbery, vegetable gardens, naturalized landscape, or water wise plants.~~

Section 2. Chapter 7 of the Code is amended by changing each reference to “rubbish” to “refuse.”

Section 3. Subsection 7-2-30(a) of the Code, concerning prohibited deposits, is hereby amended as follows:

(a) To throw or deposit in or on, cause or permit to be thrown or deposited in or on, or to litter any street, alley or public or private right-of-way place with garbage, rubbish, debris, sod, earth, sand, gravel, concrete or any other landscaping, construction or waste material.

Section 4. Subsection 7-2-35(a) of the Code, concerning prohibited discharge to the storm water sewer system, is hereby amended as follows:

(a) To throw, drain or otherwise discharge, cause or allow others under his or her control to throw, drain or otherwise discharge into any storm water sewer system within the City any pollutants or waters containing any pollutants, other than storm water or ground water directed to the system either naturally or through sump pump discharge. Any part of the foregoing prohibitions notwithstanding, this Subsection shall not apply to any discharges resulting from emergency fire-fighting activities and any discharges specifically authorized by the State of Colorado or any department of the State

Section 5. Section 7-2-90 of the Code, concerning garbage and animal waste, is hereby amended as follows:

**Sec. 7-2-90. - Garbage and animal waste.**

(a) Any unclean, foul, unsafe, unhealthy, dangerous, defective or filthy drain, ditch, tank or gutter, or any leaking or broken slop, garbage or manure box or receptacle of like character.

~~(b) Any accumulation of animal waste on premises where animals are kept, unless the premises are kept clean and the animal waste kept in a box or vault which is screened from flies and emptied at least once every two (2) days.~~

~~(c) Every vehicle or trailer used to transport manure, garbage, swill or offal in any street shall be fitted with a lid or other container so that no portion of such filth will be scattered or thrown into such street.~~

~~(c d) Any animal waste or accumulation of animal waste that remains on a property for such a period more than forty-eight (48) hours and that it can be detected by a person of ordinary olfactory senses at the property line or other boundary of such property.~~

Section 6. Section 7-2-120 of the Code, concerning vacant residential dwellings, is hereby amended as follows:

**Sec. 7-2- 120. - Vacant residential dwellings.**

To cause, permit or allow a broken window to exist in a vacant dwelling more than seventy-two (72) hours after notice to remedy the same is issued by the City or to fail to repair or replace the same with another window within thirty (30) days of such notice.

Section 7. 7-2-130 of the Code, concerning dead and diseased trees, is hereby amended as follows:

**Sec. 7-2-130. - Dead and diseased trees.**

Any ~~dead or diseased~~ tree on private property determined by the City Arborist to be at least fifty percent (50%) dead or diseased and therefore ~~or part thereof on private property which constitutes~~ a hazard to life or property, or which harbors insects or disease at such a level that ~~and which~~ constitutes a potential threat to other plant life within the City, as determined by the City Arborist.

Section 8. Section 7-3-30 of the Code, concerning nuisance vehicles on private property, is hereby amended as follows:

**Sec. 7-3-30. - Vehicles on private property.**

It is unlawful for any person who is in charge or control of private property, or any tenant, lessee, occupant, renter or otherwise, to permit or allow any abandoned or junked vehicle to remain on such property for a time period in excess of seventy-two (72) hours or to be parked upon any surface other than the parking and driveway surfaces authorized by Code

Section 16-22-80; provided that this Section shall not apply with regard to a vehicle or parts of a vehicle in a completely enclosed building; a vehicle on the premises of a business enterprise operated in a lawful place and manner, when necessary to the operation of such business enterprise; a vehicle in an appropriate storage place or depository maintained for impounded vehicles by the City; or a vehicle that is covered by a fitted, cloth car cover manufactured for such purpose. Tarps may not be used at any time to cover vehicles within the City.

Section 9. Section 7-3-40 of the Code, concerning vehicle hobby repair, is hereby amended as follows:

**Sec. 7-3-40. - Motor vehicle hobby repair.**

It is unlawful for any person to repair, recondition, rebuild or work on any motor vehicle as a hobby, unless such hobby is conducted in and totally contained within a residential or commercial garage, and conducted in such a manner so as not to create a safety, health or fire hazard; however, this shall not apply to minor repair and maintenance activities such as, by way of illustration only, the changing of oil, sparkplugs or tires, so long as such minor work occurs on private property upon a parking or driveway surface authorized by Code Section 16-22-80 and does not exceed a reasonable length of time, such as, by illustration, two (2) days. The sale and/or marketing of more than one (1) each calendar year of any repaired, reconditioned or rebuilt motor vehicle and of more than one (1) each calendar year of any motor vehicle repair, rebuilding or reconditioning for which a person receives any compensation shall be deemed a business and must be licensed and performed in accordance with all applicable City ordinances.

Section 10. Section 7-4-40 of the Code, designated as Reserved, is hereby repealed and reenacted to read in its entirety as follows:

**7-4-40. Yard debris.**

For purposes of this Section, yard debris means clipped grass, leaves, flowers, stalks, stems, tree trimmings, branches, trunks and similar organic matter created as a result of yard maintenance. If not re-used upon the property itself, yard debris may be disposed of through collection events and pick-ups specifically designated for the collection of such material or, as the least preferred method, by placement in a trash container for regular City trash collection.

Section 11. Subsection 7-4-50(a) of the Code, concerning City waste services, is hereby amended as follows:

(a) The City, its contractors or City-licensed operators shall furnish a trash and recyclables collection and disposal service for all property that is described in Section 7-4-60 below. ~~This service shall be maintained under the supervision of the Department of Public Works.~~

Section 12. Section 7-4-110 of the Code, concerning trash container placement, is hereby amended as follows:

**Sec. 7-4-110. - Placement.**

Any person desiring to place trash for collection shall place the required container at the rear of the premises adjacent to an alley and within ten (10) feet of the alley or at such other location as authorized by the Director of Public Works.

On premises not adjacent to an alley, all containers shall be placed at the front of the premises at the dates and times designated by the Public Works Department. The containers shall be placed within three (3) feet of the sidewalk and in a manner that will not impair or obstruct pedestrian or vehicular traffic.

All containers must be regularly stored on private property outside of the right-of-way and shall not be placed within the right-of-way more than forty-eight (48) hours prior to scheduled collection nor more than forty-eight (48) hours after such collection.

Section 13. Section 7-5-10 of the Code, concerning the undesirable plant management board, is hereby amended as follows:

**Sec. 7-5-10. - Undesirable Plant Management Advisory Commission designated.**

The Sustainability Board ~~City Council~~ is appointed to act as the Undesirable Plant Management Advisory Commission for the City and shall have the duties and responsibilities as provided by state statute.

Section 14. Section 7-5-30 of the Code, concerning the deposit of yard debris on public property, is hereby amended as follows:

**Sec. 7-5-30. - Accumulation unlawful.**

It is unlawful and deemed a nuisance for any person to cause or permit to accumulate any grass clippings or leaves upon public property, including the right-of-way, anywhere in the City except in a City collection container or other City-approved bag or vessel and only during such times as placement in the right-of-way is authorized by Section 7-4-110 ~~a sealed~~

~~thirty-gallon-capacity plastic bag awaiting pickup and disposal or in any properly layered, actively working compost pile, pit or trench.~~

Section 15. Section 7-6-10 of the Code, concerning definitions related to animal regulations, is hereby amended by amending the definition of Animal Control Officer thereunder as follows:

*Animal Control Officer* means and includes any code enforcement officer or any other officer or employee of the City, regardless of job title, designated by the Chief of Police to enforce the provisions of this Code regarding animals.

Section 16. Sections 7-6-250, 7-6-260 and 7-6-270 of the Code, concerning dog licensing, are hereby repealed and designated as "Reserved."

Section 17. Subsection 7-6-360(a) of the Code, concerning slaughtering of animals, is hereby amended as follows:

(a) It is unlawful to slaughter any animal within the City of Edgewater except on private property for home consumption or bona fide religious exercise. Any such slaughtering must be consistent with the most recent edition of the American Veterinary Medical Association humane slaughter guidelines and in such a manner as to minimize food safety and environmental hazards.

Section 18. Section 7-6-410 of the Code, concerning guard dogs, is hereby repealed and designated as "Reserved."

Section 19. Section 7-7-50 of the Code, concerning rental property occupancy limits, is hereby amended as follows:

**Sec. 7-7-50. - Occupancy limitations.**

Rental dwellings, buildings and structures shall not be used for any use that is in violation of any other provision of this Code, including but not limited to the limitations and requirements set forth in Chapter 16, concerning zoning. ~~Without limitation as to any of the foregoing, no single rental unit shall be occupied by more than one (1) family.~~

Section 20. Severability. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 21. Safety Clause. The City Council hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the City, that it is promulgated for the health, safety, and welfare of the public, that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare, and that this ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 22. Effective Date. This ordinance shall become effective five (5) days after final publication.

INTRODUCED, READ, PASSED ON FIRST READING AND ORDERED  
PUBLISHED this 6th day of May, 2025.

/s/ Steve Conklin  
Steve Conklin, Mayor

ATTEST:

/s/ L Pedroza  
Lenore Pedroza, MMC, City Clerk

READ AND ADOPTED ON SECOND READING AND ORDERED PUBLISHED  
this 20th day of May, 2025.

/s/ Steve Conklin  
Steve Conklin, Mayor

ATTEST:

/s/ L Pedroza  
Lenore Pedroza, MMC, City Clerk

APPROVED AS TO FORM:

/s/ Carmen Beery  
Carmen Beery, City Attorney