

ORDINANCE NO. 863

AN ORDINANCE AMENDING CHAPTER 17 OF THE DACONO MUNICIPAL CODE REGARDING CROSS-REFERENCES TO OIL AND GAS REGULATIONS IN CHAPTER 16

WHEREAS, City Council amended Chapter 16, Article 22 of the Dacono Municipal Code (“Code”) in Ordinance No. 859 to update oil and gas regulations for the City; and

WHEREAS, Section 17-95 of the Code cross-references a section in Chapter 16, Article 22 of the Code amended by Ordinance No. 859 that governs abandoned and reclaimed wells; and

WHEREAS, City Council desires to amend Section 17-95 to provide the updated cross-reference for abandoned and reclaimed wells in Chapter 16, Article 22 of the Code.

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

Section 1. Section 17-95(5) of the Dacono Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

Sec. 17-95. Setbacks to oil and gas operations.

(5) Lot and streets may be platted over well and production sites that have been abandoned and reclaimed in accordance with state law, COGCC regulations and Section ~~16-534~~ 16-536 of this Code. Capped wellheads shall be identified by a concrete and brass monument that will be recorded and noted on the final plat. Such platting shall occur only after the completion of the abandonment and reclamation process, may not be accomplished by a lot boundary adjustment, and shall comply with the following standards:

- a. Streets may be platted over abandoned wellheads if conflicts do not occur with infrastructure requirements within the street.
- b. A non-residential lot may contain an abandoned wellhead. The plat shall identify a building setback of 25 feet from the monumented abandoned wellhead.
- c. Residential lots one (1) acre or larger may be platted over an abandoned wellhead. The plat shall identify a building setback of 25 feet from the monumented abandoned wellhead.

d. Abandoned wellheads, and the required setback surrounding the abandoned wellhead, shall not be located in single-family lots under one (1) acre in size.

e. Abandoned wellheads, and the required setback surrounding the abandoned wellhead, shall not be located in multi-family lots.

f. In subdivisions where an abandoned wellhead cannot be placed in a street or lot meeting the standards of this Subsection, the abandoned wellhead shall be placed in a tract. The abandoned wellhead and required setback surrounding the abandoned wellhead may not be located in a park.

Section 2. If any article, 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 passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

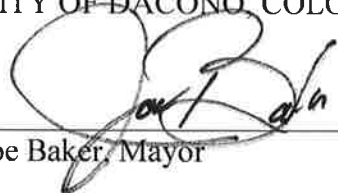
Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, ADOPTED ON FIRST READING, AND ORDERED PUBLISHED BY TITLE AND POSTED IN FULL this 11th day of February, 2019.

PUBLIC HEARING AND SECOND READING WILL BE THE 25th day of February, 2019, AT 6:00 P.M. AT DACONO CITY HALL, 512 CHERRY STREET, DACONO, CO.

READ, ADOPTED ON SECOND READING, APPROVED, SIGNED, AND ORDERED PUBLISHED BY TITLE this 25th day of February, 2019.

CITY OF DACONO, COLORADO



Joe Baker, Mayor

ATTEST:



Valerie Taylor, City Clerk

Summary of Ordinance No. 863, **“AN ORDINANCE CHAPTER 17 OF THE DACONO MUNICIPAL CODE REGARDING CROSS-REFERENCES TO OIL AND GAS REGULATIONS IN CHAPTER 16”**. Corrects cross-reference to Chapter 16, Article 22 of the Dacono Municipal Code in Section 17-95.