

**Resolution No. 2012-012**

**RESOLUTION  
OURAY COUNTY BOARD OF COUNTY COMMISSIONERS**

**Adoption of Temporary Regulations for Certain  
Temporary Off-Premises Signs**

**WHEREAS**, the Board of County Commissioners of Ouray County (Board) has adopted Resolution No. 2012-005 which sets forth certain priorities for changes and modifications to the Ouray County Land Use Code (Code), including revisions to Section 8 of the Code, Sign Regulations; and

**WHEREAS**, the Board has tasked the Ouray County Land Use staff and the Ouray County Planning Commission to work on revisions to Section 8 of the Code pursuant to the priorities listed in Resolution 2012-005; and

**WHEREAS**, at its meeting on February, 7, 2012, the Board discussed the imminent need to address the use of certain signs in Ouray County, Colorado pending revisions to Section 8 of the Code and during the summer months when the County experiences a high influx of visitors; and

**WHEREAS**, C.R.S. § 29-20-101, et seq., the Local Government Land Use Control Enabling Act of 1974 provides that local governments are provided broad authority to plan for and regulate the use of land within their respective jurisdictions; and

**WHEREAS**, C.R.S. § 29-20-104 provides that a local government has the authority to regulate the use of land on the basis of the impact thereof on the community or surrounding areas, and otherwise planning for and regulating the use of land so as to provide planned and orderly use of land; and

**WHEREAS**, C.R.S. § 43-2-139, grants authority to the Counties to control the placement of advertising signs within the rights of way of county roads; and

**WHEREAS**, C.R.S. § 30-28-121 provides that the Board may adopt, by resolution, certain temporary restrictions regulating or prohibiting the erection, construction, reconstruction of any building or structure used or to be used for any business, residential, industrial or commercial purposes in all or parts of the unincorporated areas of the county, not to exceed six months; and

**WHEREAS**, the purpose and intent of this Resolution is to comply with the County's Master Plan, Visual Impact Regulations of Section 9 of the Code, Outdoor Lighting Regulations of Section 27 of the Code and to maintain the County's rural character while promoting farming and ranching activities and uses by allowing for advertising and directional signs for retail agricultural operations; and

**WHEREAS**, the Board has determined that temporary regulations permitting off-premises advertising and directional signs for farming and ranching activities and uses are warranted pending revisions to Section 8 of the Code.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO, AS FOLLOWS:**

1. From May 8, 2012 to November 8, 2012, temporary off-premises signs for advertising and directional purposes to farming and ranching activities and uses are permitted pursuant to the terms and conditions of this Resolution.
2. The following terms and conditions apply to signs permitted pursuant to this Resolution:

- a. Signs shall not measure more than twelve square feet and may be free standing. Signs shall not be permanently affixed to or in the ground.
  - b. The top of the sign may be no more than four feet from the ground.
  - c. No lights, illumination, or neon or reflective paint may be used on or in conjunction with the signs. Any writing and, or designs on the sign may only be black, white and/or one additional color.
  - d. The maximum number of signs related to one property or use is three. Every surface used as a sign shall count as one sign even if multiple surfaces are connected.
  - e. Signs may not be attached to any existing signs, traffic control equipment or signs, public utilities, or trees. Signs may be attached to fences or fence posts.
  - f. Signs may not be placed within the rights of way of State Highways 550 or 62.
  - g. Any signs on areas adjacent to the rights of way of State Highways 550 or 62, as those areas are defined by Colorado Administrative Code, 2 CCR 601 et seq., must comply with state statute and any applicable regulations of the Colorado Department of Transportation.
  - h. Signs may not be placed in the traveled portion of the right of way of a County road. Any sign within the traveled portion of the County road right of way may be removed by the County. The County reserves the right for the County Road and Bridge Department (Department) to remove any signs for the performance of any maintenance, repairs or any other responsibilities of the Department.
  - i. Signs must be maintained in good shape. Signs in disrepair will be considered abandoned and may be removed by the County.
  - j. By November 8, 2012, all signs permitted by this Resolution must be removed by the individual or entity that placed the sign.
3. This Resolution is not intended to revoke, replace, or amend the provisions of Section 8 of the Code. To the extent the provisions of Section 8 of the Code and this Resolution conflict, this Resolution shall control.

**APPROVED AND ADOPTED THIS 8<sup>th</sup> DAY OF MAY, 2012.**

Voting for: Commissioners Albritton, Fedel and Padgett  
 Voting against: None



*Michelle Nauer*  
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 Michelle Nauer, Clerk and Recorder  
 By: Linda Munson-Haley, Deputy Clerk of the Board

BOARD OF COUNTY COMMISSIONERS  
 OF OURAY COUNTY, COLORADO

*Heidi M. Albritton*  
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 Heidi M. Albritton, Chair

*F. Mike Fedel*  
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 F. Mike Fedel, Vice-Chair

*Lynn M. Padgett*  
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 Lynn M. Padgett, Commissioner