

NOTICE OF PUBLIC HEARING  
BEFORE THE  
CITY AND COUNTY OF BROOMFIELD

**DATE:** February 10, 2026  
**TIME:** 6:00 p.m.  
**PLACE:** Council Chambers, George Di Ciero City & County Building  
One DesCombes Drive  
Broomfield, Colorado 80020

Notice is hereby given that a public hearing will be held before the City and County of Broomfield on

ORDINANCE NO. 2283

An Ordinance amending Chapter 12-08 of the Broomfield Municipal Code related to encroachments

Be it ordained by the City Council of the City and County of Broomfield, Colorado:

## **Section 1.**

Chapter 12-08 - Encroachments of the Broomfield Municipal Code is amended as follows:

Chapter 12-08 - Encroachments

12-08-010 - ~~Defined~~ **Definitions**

(A) Encroachment includes any **erected or maintained building, structure, fence, barrier, post, hedge, shrub, tree, or other vegetation, landscaping, obstruction or other object within, under, above, or upon any public right-of-way, path, alley, public easement, sight distance or sight distance triangle.** ~~installed upon street rights-of-way abutting private front, side, or rear yards.~~

(B) **“Sight distance” or “sight distance triangle” means the clear distance required to safely use a public right-of-way as set forth in the Broomfield Standards and Specifications as adopted by the Broomfield Municipal Code Chapter 14-04.**

12-08-020 - Limitations.

(A) Encroachments parallel to or installed upon street rights-of-way abutting private front yards shall not exceed thirty inches in height.

(B) Encroachments parallel to or installed upon street rights-of-way abutting private side yards or private rear yards shall not exceed seventy-two inches in height.

(C) Fences, hedges, and shrubs shall be setback a minimum of six and one-half feet from the gutter flowline of streets without sidewalks or streets with attached sidewalks, and a minimum of two feet from the sidewalk where the sidewalk is detached from the street.

(D) Fences in front yards shall be limited to those of an open nature, including split rail and post and chain, but shall not include wire-type, such as chain link and wire mesh fences. Permits for all fences must be obtained pursuant to chapter 15-04 of this code.

~~(E) Encroachments shall not impede or obstruct motor vehicle or pedestrian traffic and shall not, in any way, create any public safety hazard.~~ **Encroachments, as defined above and including but not limited to private landscaping and fencing, shall not project into or encroach upon any public right-of-way in such a manner as to interfere with, obstruct, or endanger the safe public use of the right-of-way for pedestrian or vehicular traffic. Requirements include but are not limited to:**

**(1) Vegetation other than trees shall be maintained so as not to encroach upon the plane of any public sidewalk or roadway.**

**(2) Tree branch growth shall be maintained to a height not lower than eight (8) feet above any public sidewalk and not lower than fifteen (15) feet above any street or alley.**

**(3) Branches, trees and other vegetation shall be maintained so as not to obscure any street name signs, traffic signs, traffic control devices or sight triangles.**

**(4) Branches or trees that are broken, hanging, decayed or that otherwise threaten public property or the safe use thereof shall be removed.**

**(5) Any shrubs, trees, or other vegetation within three feet of a fire hydrant must be removed.**

~~(F)~~ **(G)** Encroachments shall not overlay, enclose, or in any way limit access to any city or other public facilities.

12-08-030 - Removal; notice; costs incurred by city.

~~(A) Whenever any encroachment is made, located, or maintained contrary to this chapter, or in the event the city, in its sole judgment, determines the encroachment must be removed, the city engineer or chief of police shall give notice to the person who owns or controls the premises abutting the right of way on which the encroachment is located directing such person to remove the encroachment within forty-eight hours of receipt of such notice. In the event the encroachment is not removed, the city engineer or chief of police may order its removal and the cost and expenses of such removal shall be assessed against the premises.~~ **The city may abate any violation of 12-08-020 following a notice of violation issued to the resident, owner, occupant, manager,**

or agent thereof. Service of the notice may be by electronic mail properly addressed to the resident, owner, occupant, manager or agent thereof, or by first class mail properly addressed to the dwelling or building located on the lot or tract of land in violation of this ordinance; by a conspicuous posting of the written notice of violation upon the dwelling or building located on the lot or tract of land in violation of this ordinance; or by personal service upon a natural person over the age of eighteen years who owns or occupies a dwelling or building on a lot or tract of land in violation of this ordinance. A true copy of the notice of violation will be sent by first class mail to the owner of record, as shown on the records of the county, of the lot or tract of land in violation of this chapter.

~~(B) The costs incurred by the city, together with the cost of collecting them, including court costs and attorneys' fees, shall constitute a lien against the premises on which the encroachment was located, which lien is prior and superior to all other liens, claims, titles, and encumbrances, whether prior in time or not, except liens for general taxes. The costs shall remain a lien against the real property until paid and shall be collected as though they were part of the real estate taxes.~~ **The notice will state that the encroachment must be removed within seven days from the date of the notice and, if not removed by the owner or occupant within the set time frame, the city may remove the encroachment and assess the whole cost thereof, including 15% of the total cost of alteration or removal of the encroachment for administrative costs.**

**(C) Notice of costs and lien.** The director of finance, or designee, may notify the property owner of the total costs incurred for such alteration or removal of the encroachment, and if that person fails within thirty days after the date of notification to pay the entire costs and expenses of such repair, alteration, or removal, then such costs and expenses shall become a lien against and running with the property. The director of finance shall certify the same to the applicable county treasurer for collection in the same manner as general property taxes are collected. The amount certified by the director of finance to the county treasurer for collection shall include the actual cost of repair or removal of the sign, plus 15% to defray the city's costs and expenses, and any charges of the county treasurer for such collection.

**(D) Violation penalty:** Each day a violation of this section is committed, continued, or permitted will constitute a separate violation. Each violation shall be punishable by a fine of no more than \$250.00 for the first violation, no more than \$500.00 fine for a second violation and no more than a \$750.00 fine for any subsequent violation.

## **Section 2.**

This ordinance is effective seven days after publication following final passage.

Introduced and approved after first reading on January 13, 2026, and ordered published in full.

APPROVED AS TO FORM:

/s/ Nancy Rodgers

City and County Attorney

*Bold type indicates new material to be added to the Broomfield Municipal Code.  
Dashes through words indicate deletions from the Broomfield Municipal Code.*

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Published in the Broomfield Enterprise on Sunday, January 18, 2026

Published on the Broomfield Website Friday, January 16, 2026