

TOWN OF ERIE
PLANNING COMMISSION MEETING
April 15, 2026

SUBJECT: **Resolution P26-08**
A Resolution of the Planning Commission of the Town of Erie
Recommending that the Town Council Adopt an Ordinance
Consolidating all Provisions of the Erie Municipal Code Related
to Penalties and Enforcement for Code Violations

PURPOSE: Unified Development Code amendment to align with recent
Colorado Supreme Court decision and formalizing language in
UDC

CODE REVIEW: Erie Municipal Code, Title 10

DEPARTMENT: Planning and Development

PRESENTER: Melinda Helmer, Business Operations Coordinator

STAFF RECOMMENDATION:

Staff recommend that the Planning Commission adopt the resolution recommending that the Town Council Adopt an Ordinance Consolidating all Provisions of the Erie Municipal Code Related to Penalties and Enforcement for Code Violations

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Town staff identified areas of the Erie Municipal Code within Title 10 that need amendment to align with Colorado Supreme Court Case ruling formalizing said ruling in the Town's Municipal Code.

PROPOSED CHANGES:

The proposed amendment does not change the intent or content of the municipal code. Its purpose is to update language to ensure compliance with recent Colorado Supreme Court decisions and to consolidate all sentencing-related provisions one central location in Section 1-4-4 of the Municipal Code.

The court rulings clarified how municipal codes must address sentencing authority. Incorporating those requirements into Section 1-4-4 brings the Town into alignment with state law and ensures our code is formally structured in accordance with those decisions.

Centralizing these provisions in the Code improves clarity and efficiency for both the public and staff by placing all enforcement and penalty requirements in one section, making future updates easier and ensuring consistency throughout the code.

The only revisions to Title 10 involve relocating and formalizing existing language to ensure consistency and compliance. Planning Commission must review and provide recommendation to Town Council on proposed changes to Title 10. Town Council is the decision maker for all changes to the municipal code.

The Town Council public hearing for the proposed UDC amendments is scheduled for May 12, 2026.

Approval Criteria

Section 10-7-18(C)(9) of the Erie Municipal Code states the following approval criteria when considering amendments to the text of the UDC:

1. The proposed amendment will promote the public health, safety, and general welfare; and
2. The proposed amendment is generally consistent with the Town's Comprehensive Master Plan and the stated purposes of this UDC; and
3. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.

Staff find these amendments necessary and recommend that the Planning Commission adopt Resolution No. P26-08 recommending that the Town Council Adopt an Ordinance Consolidating all Provisions of the Erie Municipal Code Related to Penalties and Enforcement for Code Violations.

Attachments:

1. Staff Report
2. PC Resolution P26-08
3. Ordinance
4. Staff Presentation