



**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - AGENDA MEMO**

DATE: January 23, 2025	ITEM NO.	SUBJECT: Application for Public Display, Awake Palmer Lake
Presented by: Town Administrator /Clerk		

Background

Enclosed is an application for public display presented by the Awake Palmer Lake organization and local artist. The application is in conformance to the procedures to the extent of placing it on the Board agenda for consideration.

The Parks and Trails Commission will review the design and location at a special meeting Tuesday, 1/21, and a recommendation be forwarded to the Board for consideration.

Recommended Action

Consider the public display in reference to the respective code noted below, sec. 5.36 – entire code here – https://library.municode.com/co/palmer_lake/codes/code_of_ordinances?nodeId=COOR_TIT5BULIRE_C H5.36PUDI

5.36.060. - Requirements, standards and conditions.

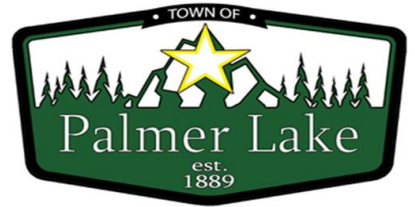
All public displays authorized and approved under this chapter must comply at all times with the following terms, conditions, requirements, and standards:

(1) Public displays that are designed to be touched, handled and experienced by the public, or which may due to their nature be subject to such touching and handling, must be constructed of appropriately substantial material so as to prevent damage or destruction of such public displays. The town shall in no instance be liable for such damage or destruction, including vandalism, by the public.

(2) To the extent any public display is to be physically installed, constructed, or mounted upon property and infrastructure of the town, such public displays must be adequately engineered and designed so as to prevent damage to such property and infrastructure, and so as not to pose a safety risk to the public as a result of such design and engineering, or mounting/installation methods. The town may require stamped engineering drawings prior to approval, and in no instance shall the town be liable for damage, destruction or injury resulting from inadequate design or engineering, even should the engineering and design of such public display have been provided and reviewed by the town prior to approval. upon removal of any public display, the applicant shall be responsible for restoring the public property back to the original state prior to installation of the public display.

(3) Public displays may include advertising of commercial, charitable or other nature, provided such advertising is otherwise in compliance with all requirements, standards and conditions described herein. Consideration will be given to structural and surface integrity, permanence, and protection against injury, theft, vandalism, weathering, and excessive maintenance and repair costs. All "signage" of an advertising nature within any public display must conform to all advertising and sign standards as described in this Code, in addition to the specific terms of this chapter or conditions of approval. All advertising within a public display subject to this chapter shall also conform to the following standards:

- a. A public display visible from any public roadway will not contain the words "stop," "drive-in," or any



other word, phrase, character, or symbol which as determined by the town administrator, may interfere with, mislead, or direct vehicular traffic.

b. A public display shall not contain pictures, language, graphics or materials that are offensive to community standards and values.

c. A public display shall not contain pictures, language, graphics or materials that depict, offer or imply the use or sale of tobacco or marijuana products, paraphernalia related thereto, or other drugs. Public displays that depict beer, wine or alcohol may be permitted, provided such depictions are not offensive to community standards and values, and it is expressly recognized that there are valued members of the business community within the town whose businesses include service of alcoholic beverages.

d. A public display within the town shall be limited to those businesses catering to the community, specifically being limited to those businesses located within the "Tri-Lakes" area of northern El Paso County, Colorado.

(4) Messages or language prohibited by federal or state law or town ordinance shall not be permitted, nor shall messages, images, depictions, language or inferences drawn therefrom intended to intimidate, demean or otherwise discriminate on the basis of religion, race, creed, color or sexual orientation be permitted.

(5) Public displays must be placed so as not to interfere with the safe and efficient passage of pedestrians, bicyclists and other non-motorized users of the town's roads, sidewalks, paths and parks, and specifically may not impede pedestrian access to or use of traffic control devices, public rights-of-way, or private property.

(6) The location and placement of any public display must not interfere with vehicular traffic or other uses of the public roads and rights-of-way, including visual impairment from sight lines, corners, or other visual obstacles.

(7) Unless otherwise specifically provided in the approval of the board, as may be the case in public displays of a permanent nature, the applicant shall maintain all public displays and environs in a safe, clean and presentable condition at all times.

(8) Damaged or disfigured public displays, or components thereof, shall be removed, repaired, or replaced by the applicant within ten days of notification of damage. If such conditions pose a safety hazard, such conditions shall be removed, repaired, or replaced immediately.

(9) The applicant of each public display shall release and indemnify, defend and save harmless the town, its officers, agents, and employees, from and against any and all claims, actions, causes of action, demands, judgment, cost, expenses, including attorneys' fees, and damages of every kind and nature incurred by or occurring to any person whatsoever predicated upon injury to, or death of, any person, or loss of, or damage to, property, public or private, or of whatever ownership, or damage to business, provided such injury, death, or loss or damage shall arise out of or be connected directly or indirectly to the exercise of any right or privilege granted by any approval of a public display pursuant to this chapter.