

TOWN OF MORRISON BOARD OF TRUSTEES
MORRISON TOWN HALL, 110 STONE STREET
TUESDAY, MARCH 1, 2016
REGULAR MEETING TOWN BOARD MEETING AGENDA
5:00 – 6:30 P.M.

(ALL AGENDA ITEMS ARE ELIGIBLE FOR DISCUSSION AND POSSIBLE VOTE BY THE BOARD OF TRUSTEES.)

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) AMENDMENTS TO THE AGENDA
- 4) PUBLIC TO ADDRESS THE BOARD/COMMUNICATIONS
- 5) PRESENTATIONS AND HEARINGS
 - a) Public Hearing - Sign Code Amendment
 - b) DYK, Inc. d/b/a Morrison Holiday Bar – Modification of Premises Application
- 6) DEPARTMENTAL REPORTS
 - a) Police Department
 - b) Museum
 - c) Utility
 - d) Town Administrator
 - e) Attorney
- 7) GENERAL BUSINESS
 - a) Allen Tech
 - b) Change April 5th Board Meeting Date
- 8) CONSENT AGENDA
 - a) Minutes of 2-16-2016
 - b) Payroll
 - c) Vouchers
- 9) BOARD MEMBER COMMENTS
 - Info – Red Rocks Denver Historic Landmark District Designation
 - Community Workshops
- 10) EXECUTIVE SESSION
 - a. For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b), and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, Concerning Red Rocks Centre and Utility Operations.
- 11) ADJOURNMENT

Reasonable accommodation will be provided upon requests for persons with disabilities. If you require any special accommodation in order to attend a Town Board of Trustee Meeting, please call the Town Clerk at 303-697-8749.
Next Board of Trustees Meeting, March 15, 2016.

TOWN OF MORRISON, COLORADO

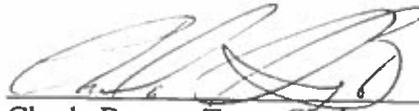
NOTICE OF CHANGE OF REGULAR BOARD OF TRUSTEE'S MEETING TIME

PUBLIC NOTICE IS HEREBY GIVEN of the meeting time of the Regular Meeting of the Board of Trustees of the Town of Morrison will be changed to the following date, time and place:

Tuesday, March 1, 2016
Regular Meeting
Commencing at 5:00 pm
Morrison Town Hall
110 Stone Street
Morrison, Colorado

GIVEN AND POSTED in the office of the Town Clerk this 25th day of February, 2016.




Charla Bryant, Town Clerk

Delivered to all Board Members, posted in one (1) public place within the Town and on the Town's website, on February 25, 2016.

posted
1/28/16
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NOTICE OF PUBLIC HEARING
of the

**BOARD OF TRUSTEES
TOWN OF MORRISON, COLORADO**

Notice is hereby given that the Board of Trustees will hold a public hearing:

TUESDAY, MARCH 1, 2016
MORRISON TOWN HALL
110 STONE STREET
MORRISON, COLORADO
6:00 P.M.

The purpose of the hearing will be to discuss minor changes to the Town Sign Ordinance pursuant to the U.S. Supreme Court decision *Reed v. the Town of Gilbert AZ.*

Any member of the public may attend the hearing and comment. Written comments should be addressed to the

Town Clerk
Town of Morrison
321 Highway 8
Morrison, CO 80465
Telephone: 303-697-8749

MEMORANDUM

Date: February 25, 2016
To: Morrison Board of Trustees
From: Brea Pafford, Town Planner
Subject: Planner Report

Sign Code Update

The ground rules for sign codes have changed as a result of *Reed v. the Town Gilbert AZ*, in a unanimous Supreme Court decision (attached). In June, the Court considered a challenge to certain portions of the Gilbert, Arizona sign code and announced a new standard for "content neutral" regulation requirements. Legal and Planning Staff conducted an analysis of the Town's sign regulations and prepared revisions to address compliance with the Court's direction. The Morrison Planning Commission held a public hearing on January 12, 2016 to review the suggested revisions and recommended additional changes to the draft regulations.

The track changes tool has been used to highlight the suggested content neutral changes and minor grammatical corrections. Below is a summary of those suggested changes:

General: Created new categories of content-neutral sign types and incorporated them into the Code, i.e., (site sign, yard sign, off-premise sign, wayfinding sign, etc.).

10-11-1: Purpose: Enhanced purpose statement to strengthen the "compelling governmental interest" in the regulations.

10-11-3 General Standards:

- (H): Replaced "Advertising Signs" with "Off Premise Sign" which is a content-neutral sign type. While this change is suggested, it's important to point out that only way to really prohibit off-premise signs is to read the content to see what they are advertising and where. So, the proposed change is on its face contrary to Reed. However, because this issue is of such concern to local governments, the approach legal has suggested is to leave it in as a prohibition, under the theory that (1) the Code provisions are severable in any event, and (2) we may soon get guidance in the form of additional court opinions on just this issue as measured by Reed. So the net is, retain, but be aware that it may have to be amended or deleted in the future.
- (J): Canopies. The reference to content is removed. Changed the approval authority from the Public Works Director to Town Administrator.
- (M): Motor Vehicles, Trailers Used as Signs. Removed reference to name of owner or business.
- (O): Wall Signs. Added a definition of wall signs for clarity.

10-11-4: Exemptions:

- (K): Political/Ideological Signs: Deleted "Political/Ideological" and replaced with "Yard Sign" which is a content-neutral sign type. These types of signs are envisioned to be allowed in residential districts whereas the "Site" signs below are to be allowed in commercial district. The approach here is to simply allow yard signs in residential areas, of a limited size, and not limit how long they are up.
- (L): Real Estate Signs: Deleted "Real Estate" and replaced with "Site" Sign. This is a content neutral sign type allowed in commercial districts.

- (N and O): "Directory of Locations, Special Events" and "Directional Signs, Public Facilities" have been combined into one category and renamed "Wayfinding" Signs to address signs erected by the government.

10-11-4.5: Signs Subject to Temporary Permit:

- (A): Street Banners: Deleted reference content in both sentences, i.e., "announcing events or seasonal greetings sponsored by the town, R-1 School District, Jefferson County or charitable or nonprofit organization" and "No more than 5% of the sign area may be used to identify the private, public or nonprofit organization sponsoring the sign."
- (B): Inflatables, Balloons, Banners, Streamers or Pennants. Deleted reference to content.
- (C): Posters. Deleted per PC recommendation.

10-1L-5: Residential Zone District Regulations:

- (A): Deleted references to content (last part of sentence).
- (B): Limited the number of signs per parcel or lot vs. permitted use in order to ensure that a person does not have to read the sign to determine if it relates to a permitted use.
- (C): Deleted references to existing sign types and substituted with content-neutral sign type (yard sign and off-premise signs). Deleted commercial signs and construction signs as this is a content-based reference and neither sign type is defined in the Code.

10-1L.6, 7, and 8: Non-residential Zone District Regulations:

- (A): Deleted references to content (last part of sentence).
- (C): Added "Site" signs, dimensional standards to each district. Note that Staff suggests that these types of signs should not be illuminated.
- (G): Remove statement on Illumination as it is already covered under Sec 1-10-11-3G.

POSSIBLE MOTIONS:

After the conclusion of the public hearing, the Board may approve the sign regulation revisions as attached or approve with specific revisions or modifications. Staff has provided the following motions for consideration:

I move to **approve** the revisions of the sign code per the attached revisions and recommendations of the Planning Commission and direct Town Staff to prepare the final Ordinance.

I move to **approve** the revisions of the sign code per the recommendations of the Planning Commission with the following amendments: (Insert revisions as needed) and direct Town Staff to prepare the final Ordinance.

OUTDOOR SIGNS

10-11-1: PURPOSE:

The intent of this article shall be to define the types of signs which will be permitted in the various zoning districts and those which will be prohibited, the manner in which sign areas and dimensions will be measured, and exempting certain types of signs from this article. It is further the intent of this article to:

1. Promote the safety of persons and property by ensuring that signs do not create a hazard by:
 - a. Confusing or distracting motorists; or
 - b. Impairing drivers' ability to see pedestrians, obstacles or other vehicles, or traffic directional signs;
2. Promote the efficient communication of messages, and ensure that persons exposed to signs are not overwhelmed by the number of messages presented;
3. Protect the public welfare and enhance the appearance and economic value of the landscape by avoiding visual clutter;
4. Protect and enhance the visual impact of future development along the Town's gateways in accordance with the Town's Comprehensive Plan;
5. Ensure that signs are attractive and compatible with adjacent property and prevent the construction of signs that are a nuisance to occupants of adjacent and contiguous property due to brightness, reflectivity, bulk, or height;
6. Enhance property values and business opportunities;
7. Assist in wayfinding; and
8. Provide fair and consistent permitting and enforcement.

~~encourage the erection of signs which are attractive and compatible with the adjacent property, which will preserve and enhance property values within the community, which will provide for the public convenience, health and welfare and which will protect the public safety. (Ord. 130, 3-1-1978)~~

10-11-2: SIGN PERMITS:

No sign, except for signs listed in section 10-11-4 of this article shall be constructed, erected, remodeled, relocated or expanded until a sign permit for such sign has been issued by the clerk of the town or such other official as may be designated by the Board of Trustees. Such requirement shall apply to both permanent and temporary signs, unless exempted by section 10-11-4 of this article. A fee for application for a sign permit shall be paid to the town to handle processing in an amount to be determined by the board of trustees¹. In addition, the owner, lessee, or authorized agent of either, of the property upon which the sign is to be located shall submit an application for a permit on a form furnished by the town. The clerk or other designated official shall approve such application if complete and if such sign complies with the requirements of this article and this code, or shall deny, for reasons stated, or return such application for additional information if incomplete, within fifteen (15) days of receipt of the application and fees. The Town Clerk, or other designated official, shall be responsible for determining whether or not a permit is required. Appeal from this decision may be taken to the board

of adjustment by letter application filed with the Town Clerk not more than fifteen (15) days from the date of the initial decision. (Ord. 266, 11-26-1996)

10-II-3: GENERAL STANDARDS:

- A. **Gross Surface Area of Sign:** The "gross surface area of a sign" shall be defined as the entire area within a single continuous perimeter enclosing the extreme limits of such sign, and in no case passing through or between any adjacent elements of same. Such perimeter shall not include any structural elements lying outside the limits of such sign and which do not form an integral part of the display. The gross area of a sign shall be measured only on one side of such sign unless more than one side is utilized as a sign in which case the gross surface area of each sign face shall be counted. When two (2) or more signs are located on a zoning lot, the total gross surface area of all signs shall not exceed the maximum district regulations. For computing the area of any wall or window sign which consists of letters mounted or painted on a wall or window, the area shall be deemed to be the area of the smallest rectangular figure which can encompass all of the letters. (Ord. 346, 3-9-2007)
- B. **Height Of Sign:** Sign height shall be measured from average ground level at the base of or below the sign to the highest element of the sign.
- C. **Building And Electrical Codes Applicable:** All signs must conform to the regulations and design standards of the town building code². Wiring of all electrical signs must conform to the town electrical code.
- D. **Flashing Or Moving Signs:** No flashing signs, rotating or moving signs, animated signs, signs with moving lights or signs which create the illusion of movement shall be permitted. A sign whereon the current time and/or temperature are indicated by intermittent lighting shall not be deemed to be a flashing sign.
- E. **Metal Signs:**
 - 1. Signs constructed of metal and illuminated by a means requiring internal wiring or electrically wired accessory fixtures attached to a metal sign shall maintain a free clearance to grade of nine feet (9').
 - 2. No metal ground sign shall be located within eight feet (8') vertically and four feet (4') horizontally of electric wires or conductors in free air carrying more than forty eight (48) volts, whether or not such wires or conductors are insulated or otherwise protected. (Ord. 130, 3-1-1978)
- F. **Glass And Plastic Signs:** Signs principally constructed of glass or glossy plastic materials shall be prohibited in all zone districts. Metallic signs shall be finished so as to eliminate any glare or reflection from the sign surface. No phosphorescent or reflective paint shall be used on any sign surface. All materials used shall be compatible with the historic character of the town and with surrounding uses and signage and shall, as nearly as possible, resemble natural materials.
- G. **Illumination:**

1. Illumination may be provided externally by an indirect and concealed source or the sign may be internally lit subject to the following limitations: a) no light shall shine directly beyond the lot on which the sign is located; b) neither direct nor reflected light shall create a traffic hazard or a distraction to motorists or pedestrians or create a public nuisance.
2. Gas lit tubing may be used for window signs otherwise meeting the requirements of the sign code in commercial districts. (Ord. 346, 3-9-2007)

H. ~~Advertising-Off-premise~~ Signs: Signs which direct attention to a business, commodity, service or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located or to which it is affixed, commonly known as commercial off premises signs, are prohibited except as permitted under section 10-11-9 of this article. (Ord. 266, 11-26-1996)

I. Traffic Safety: No sign shall be maintained at any location where by reason of its position, size, shape or color, it may obstruct, impair, obscure, interfere with the view of or be confused with any traffic control sign, signal or device, or where it may interfere with, mislead or confuse traffic. (Ord. 130, 3-1-1978)

J. Canopies, Awnings: Signs on canopies or awnings located over public rights of way, or into any required front setback space; ~~limited in content to name of building or business, address of premises; type of business or logo;~~ no sign shall exceed twenty five percent (25%) of the awning or canopy vertical face in area. All such canopies and awnings over public rights of way are subject to approval by the ~~director of public works~~ Town Administrator or a person approved by him/her. (Ord. 288, 2-2-1999)

K. Window Signs: A "window sign" is a sign which is applied or attached to the interior of a window, which sign is visible from off of the zone lot. No window sign shall exceed twenty five percent (25%) of the window's surface.

L. Maintenance:

1. Every sign shall be maintained in good condition at all times as determined by the town administrator. Signs shall be kept neatly painted, including all metal parts and supports thereof that are not galvanized or of rust resistant metals. The Ttown Aadministrator or a person approved by him/her, shall inspect and shall have the authority to order the painting, repair, alteration or removal of a sign which is not in conformance with this code or is inadequately maintained, dilapidated or obsolete.
2. The owner of a sign and the owner of the property on which such sign is located shall be jointly and severally liable to maintain all signs on the property, including any illumination sources, in a neat and orderly condition, in good working order and shall prevent or correct any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign.

3. All signs must comply at all times with any applicable building or electrical code.
4. Painting, repainting or cleaning of an advertising structure, or changing the advertising copy or message thereon, shall not be considered an erection or alteration which requires a sign permit unless a structural change is made.

M. **Motor Vehicles, Trailers Used As Signs:** Motor vehicles or trailers used as signs or sign structures, are prohibited, not including signs permanently attached to motor vehicles or trailers which are being operated or stored in the normal course of business, such as signs on delivery trucks ~~indicating the name of the owner or business~~; provided that the primary purpose of such vehicles is not for the display of signs, and that such vehicles are parked or stored in areas appropriate to their use as vehicles. Signs painted on trailers used on construction sites are also exempt, provided that a building permit has been issued for that site and the trailer is not stored in such a way as to act as a sign. Parking such vehicles or trailers other than at the location of the business advertised thereon for the sole purpose of advertising is prohibited.

N. **Temporary, Portable Signs:** All temporary or portable signs are prohibited except those expressly permitted in this chapter. (Ord. 346, 3-9-2007)

~~N.O.~~ Wall Signs. Means any sign painted on or affixed to the wall of a building or structure, or any sign consisting of cut-out letters or devices affixed to a wall with no background defined on the wall in such a manner that the wall forms the background surface of the sign.

10-11-4: EXEMPTIONS:

The following ~~noncommercial or limited-impact~~ signs shall be exempt from the permit requirements of this ~~chapter article~~ and shall be in addition to any other signs permitted in a zone district but, except as stated below, shall otherwise conform to the sign requirements of the zone district in which they are located:

- A. **Flags:** A flag, pennant or insignia of any nation, organization of nations, state, county or city, religious, civic or fraternal organization or any educational institution not exceeding the greater of the size of the largest sign permitted in the zone district or forty (40) square feet.
- B. **Required/Authorized Signs:** Signs required by or specifically authorized for a public purpose by any law, statute or ordinance, by way of illustration and not limitation, including traffic or similar regulatory devices, legal notices, and other instructional or regulatory signs having to do with public health, safety, welfare or regulation. (Ord. 266, 11-26-1996)
- C. **House Numbering:** Address numerals and other signs required to be maintained by law or governmental order, rule or regulation; provided, that the content and size of

the sign do not exceed the requirements of such law, order, rule or regulation.

- D. Regulatory: Small signs, not exceeding five (5) square feet in area, displayed on private property for the convenience of the public, including signs to identify entrance and exit drives, parking areas, one-way drives, restrooms, freight entrances and the like.
- E. Scoreboards: Scoreboards in athletic stadiums that are not visible from any residence or public street.
- F. Decorations: Holiday decorations, clearly incidental and customary and commonly associated with any national, local or religious holiday; provided, that such signs shall be displayed for a period of not more than ~~sixty-ninety (6090)~~ consecutive days nor more than ~~sixty-ninety (6090)~~ days in any one year; and may be of any type, number, area, height, location, illumination or animation.
- G. Memorials: Memorial signs and tablets displayed on private property.
- H. Nameplates: Nameplate signs not exceeding two (2) square feet in gross surface area accessory to a single-family or two-family dwelling.
- I. Identification: Identification signs not exceeding fifteen (15) square feet in gross surface area accessory to a multiple-family dwelling.
- J. Bulletin Boards: Bulletin board signs not exceeding fifteen (15) square feet in gross surface area accessory to a church, school or public or nonprofit institution. (Ord. 130, 3-1-1978)
- K. ~~Political/Ideological~~ Yard Signs: Yard signs are which temporary portable signs constructed of paper, vinyl, wood, metal or other comparable material, and designed or intended to be displayed for a limited period of time. Yard signs are only allowed to advertise, concern or reflect a position on a candidate or an issue in an upcoming election or a position on a political, ideological, social, religious or philosophical concern. ~~In residential zone districts, such signs shall not exceed four (4) square feet in area and forty two inches (42") in height and may not be illuminated, and such signs shall conform to the height and size requirements for a permitted sign in all other zone districts. Such signs must be located shall not be placed on public property, rights-of-way or utility poles or on private property and only with the consent of the property owner without the permission of the landowner. Signs pertaining to an election may be posted no more than ninety (90) days before an election and must be removed no more than ten (10) days after the election to which they pertain.~~
- L. ~~Real Estate~~ Site Signs: Real estate Site signs are freestanding signs constructed of vinyl, wood or metal that shall not exceeding six (6) square feet per face and not more than forty two inches (42") high. Site signs shall be setback a minimum of five feet

~~from any property line and are limited to one per street frontage., which advertise the sale, rental or lease of the premises upon which said sign is located. (Ord. 266, 11-26-1996)~~

M. Interior Sign: Sign posted on the interior of any building or structure not attached to, or located within one foot (1') of a window and visible from off of the zone lot.

~~N. Directory Of Locations, Special Events: The town may maintain at a location or locations within the town a directory or kiosk displaying the names and showing the location of town businesses, services and facilities and announcing current activities and events sponsored by nonprofit or noncommercial entities or organizations within the town.~~

~~O.N. Directional Signs, Public Facilities Wayfinding Sign: Signs erected by the Town or by any federal, state or county government agency designed to orient and navigate the general public from place to place, including but not limited to traffic control and legal notices. The town may erect signs, not larger than six (6) square feet, featuring the town's logo and directional information to town or public buildings and facilities including, but not limited to, town hall, town offices, police department, museums, schools, post office, public parking or public restrooms. (Ord. 288, 2-2-1999)~~

~~P.O. Credit Card Signs: Credit card advertisements or trade association emblems do not require permits, [CM1] provided that they do not exceed one-half (1/2) square foot, per sign.~~

~~Q.P. Vending Machines, Publication Dispensers, Equipment: Standard product or company signs on vending machines, publication dispensers, dumpsters and other property or equipment which are not directly associated with the primary business at the location do not require permits. [CM2](Ord. 346, 3-9-2007)~~

10-11-4.5: SIGNS SUBJECT TO TEMPORARY PERMIT:

The following signs may be displayed in the CT, C1, C2, MU-C, MU-O and MU-CO zone districts upon granting of a temporary permit: (Ord. 288, 2-2-1999)

A. Street Banners: Street banners across public thoroughfares; ~~announcing events or seasonal greetings sponsored by the town, R-1 School District, Jefferson County or charitable or nonprofit organizations~~ may be authorized by the Town Administrator subject to reasonable guidelines regarding size and minimum and maximum height and duration of permit. Such street banners shall be installed, removed and maintained by the sponsor. ~~No more than five percent (5%) of the sign area may be used to identify the private, public or nonprofit organization sponsoring the sign.~~ All banners shall satisfy applicable Colorado Department of Transportation regulations and permitting requirements before a town permit may issue. (Ord. 288, 2-2-1999; amd. Ord. 346, 3-9-2007)

B. Inflatables, Balloons, Banners, Streamers Or Pennants: These devices are used for

~~attracting attention and are limited to one (1) per non-residential property. may be allowed as a promotion of a special event. A special event shall include an event sponsored by a public or private organization and of special significance or importance to the town of Morrison. A special event shall also include the grand opening of a business or an announcement of the change of ownership of a business. Advertising of a product or service by this manner shall not be allowed except as a part of the promotion of the special event. Inflatables and balloons may be shaped/formed as a product and may have commercial copy; banners, streamers/pennants may have commercial logos or copy, but shall primarily identify the special event. This signage shall be subject to the following conditions:~~

1. Shall be limited to fifteen (15) days;
2. Shall be placed on the zone lot as determined by the Town Administrator;
3. Each zone lot shall be allowed no more than four (4) permits per year;
4. Shall not exceed fifteen feet (15') in height, as measured from ground level at the base. (Ord. 346, 3-9-2007)

10-11-5: A, RE, R1 AND R2 DISTRICTS:

A. General: Signs may be erected, altered and maintained only for a permitted use in the district in which the signs are located; shall be located on the same lot as the permitted use, ~~and shall be clearly incidental, customary and commonly associated with the operation of the permitted use.~~ (Ord. 266, 11-26-1996)

B. Number Of Signs Permitted: Two (2) for each ~~permitted use~~ developed site. [CM3]

C. Maximum Gross Surface Area:

1. Nameplate signs, two (2) square feet.
2. Bulletin board signs, fifteen (15) square feet.
3. Identification signs in agriculture districts, twenty (20) square feet.
4. Real-estate Yard signs, four five (45) square feet; ~~provided, that one sign not more than one hundred (100) square feet in area announcing the sale of lots and/or houses in a subdivision may be located on such development. Such sign shall be permitted for one year only.~~ forty two inches (42") in height; no illumination
5. ~~Construction signs, twenty (20) square feet.~~
6. ~~Commercial signs, not permitted in residential zones.~~
7. ~~Advertising Off-premise signs, not permitted in residential zones.~~

D. Maximum Height:

1. Wall and window signs, eighteen feet (18').
2. Ground signs, ten feet (10').

E. Required Setback:

1. Wall and window signs, same as permitted uses.
2. Ground signs, on the owner's property.

F. Illumination: No sign shall be illuminated within these districts. (Ord. 130, 3-1-1978)

10-II-6: CT DISTRICT:

- A. General: Signs may be erected, altered and maintained only for a permitted use in the district in which the signs are located; shall be located on the same lot as the permitted use; ~~and shall be clearly incidental, customary and commonly associated with the operation of the permitted use.~~ (Ord. 266, 11-26-1996)
- B. Number Of Signs Permitted: Two (2) exterior signs on each wall, including projecting signs, roof signs and wall signs. In addition, one ground sign shall be permitted for each lot.
- C. Maximum Gross Surface Area:
 - 1. Wall signs, one hundred (100) square feet.
 - 2. Site Signs, six (6) square feet; forty two inches (42") in height; five (5) foot setback limited to one per street frontage; no illumination.
 - ~~2.3~~ All other signs, thirty two (32) square feet.
- D. Maximum Height: All signs, twenty feet (20').
- E. Minimum Height: None; except, any sign hanging over any pedestrian walkway shall maintain a clearance to ground of at least seven feet (7').
- F. ~~Required Setback: None; however, no sign shall extend more than six feet (6') over any property line.~~
- G.
- H.F. ~~Illumination: Illuminated signs shall be illuminated only from an indirect and concealed source.~~ (Ord. 130, 3-1-1978)

10-II-7: C1 AND C2 DISTRICTS:

- A. General: Signs may be erected, altered and maintained only for a permitted use in the district in which the signs are located; shall be located on the same lot as the permitted use; ~~and shall be clearly incidental, customary and commonly associated with the operation of the permitted use.~~ (Ord. 266, 11-26-1996)
- B. Number Of Signs Permitted: Two (2) exterior signs on each wall, including projecting signs, roof signs and wall signs. In addition, one ground sign shall be permitted for each lot.
- C. Maximum Gross Surface Area:
 - Wall signs, one hundred (100) square feet.
 - Site Signs, six (6) square feet; forty two inches (42") in height; five (5) foot setback limited to one per street frontage; no illumination.
 - All other signs, thirty two (32) square feet.

- D. Maximum Height: All signs, twenty feet (20'). No limitation for wall signs.
- E. Minimum Height: None; except, any sign hanging over any pedestrian walkway shall maintain a clearance to ground of at least seven feet (7').
- ~~F. Required Setback: All signs, fifteen feet (15') from the front lot line.~~
- ~~G.F. Illumination: Illuminated signs shall be illuminated only from an indirect and concealed source. (Ord. 130, 3-1-1978)~~

10-11-8: INDUSTRIAL DISTRICT:

- A. General: Signs may be erected, altered and maintained only for a permitted use in the district in which the signs are located; shall be located on the same lot as the permitted use, ~~and shall be clearly incidental, customary and commonly associated with the operation of the permitted use.~~ (Ord. 266, 11-26-1996)
- B. Number Of Signs Permitted: Four (4) for each ~~permitted use~~parcel or lot.
- C. Maximum Gross Surface Area:

Wall signs, one hundred (100) square feet.
Site Signs, six (6) square feet; forty two inches (42") in height; five (5) foot setback limited to one per street frontage; no illumination.
 All other signs, thirty two (32) square feet.

- D. Maximum Height: All signs, twenty feet (20'). No limitation on wall signs.
- E. Minimum Height: None; except, any sign hanging over any pedestrian walkway shall maintain a clearance to ground of at least seven feet (7').
- F. Required Setback: All signs, fifteen feet (15') from the front lot line.
- ~~G. Illumination: Illuminated signs shall be illuminated only from an indirect and concealed source. (Ord. 130, 3-1-1978)[CM4]~~

10-11-9: BUS BENCH ADVERTISING REGULATIONS:

The Town shall allow advertising on bus benches on public rights of way at regular Regional Transportation District bus stops within the Town, upon issuance of a revocable permit, subject to the following terms and conditions:

- A. A completed application upon a form furnished by the Town along with a permit fee to be determined from time to time by resolution of the Board of Trustees shall be submitted prior to installation of a bus bench;
- B. The permit shall be valid through December 31 of each year and shall be renewed

annually by submitting a renewal application and a renewal fee to be determined by resolution of the Board of Trustees;

- C. No right to renewal of a permit exists and renewal may be denied in which case the bus bench owner shall cause the bench to be removed within thirty (30) days of notice of nonrenewal, without cost to the Town;
- D. A bus bench may only be installed at a regular Regional Transportation District bus stop within the Town and no more than two (2) benches may be installed at any such location. In the event there are more than two (2) applications for any location, the permit shall be awarded based upon a lottery;
- E. The bus bench shall be of durable, substantial material, at least eight feet (8') in length and not more than ten feet (10'), at least forty two inches (42") high;
- F. The bench shall be regularly maintained, cleaned and repaired, or removed if not repairable, and shall be inspected at least monthly;
- G. The owner of the bus bench shall maintain public liability and property damage insurance with a firm with corporate surety authorized to do business in the State on each bus bench, with the Town as an additional insured, in the amount of at least one hundred fifty thousand dollars (\$150,000.00) for liability to an individual and property damage, and six hundred thousand dollars (\$600,000.00) total liability per accident;
- H. The owner of the bus bench shall be solely responsible to ensure that the bench is located on public right of way and no bench shall be located closer than five feet (5') to the road or three feet (3') from a curb or less than three feet (3') from any hazard such as a gulch or ditch;
- I. No bus bench permit may be assigned or transferred;
- J. Upon the written request of the Town made for any reason, the owner of the bench shall remove it within twenty (20) days from the date of such request;
- K. No fluorescent, Day-Glo, reflective or brilliant colors shall be used on any bus bench. (Ord. 266, 11-26-1996)

Footnote 1: See title 1, chapter 11 of this code.

Footnote 2: See subsection 9-1-2A of this code.

Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

Syllabus

REED ET AL. *v.* TOWN OF GILBERT, ARIZONA, ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR
THE NINTH CIRCUIT

No. 13–502. Argued January 12, 2015—Decided June 18, 2015

Gilbert, Arizona (Town), has a comprehensive code (Sign Code or Code) that prohibits the display of outdoor signs without a permit, but exempts 23 categories of signs, including three relevant here. “Ideological Signs,” defined as signs “communicating a message or ideas” that do not fit in any other Sign Code category, may be up to 20 square feet and have no placement or time restrictions. “Political Signs,” defined as signs “designed to influence the outcome of an election,” may be up to 32 square feet and may only be displayed during an election season. “Temporary Directional Signs,” defined as signs directing the public to a church or other “qualifying event,” have even greater restrictions: No more than four of the signs, limited to six square feet, may be on a single property at any time, and signs may be displayed no more than 12 hours before the “qualifying event” and 1 hour after.

Petitioners, Good News Community Church (Church) and its pastor, Clyde Reed, whose Sunday church services are held at various temporary locations in and near the Town, posted signs early each Saturday bearing the Church name and the time and location of the next service and did not remove the signs until around midday Sunday. The Church was cited for exceeding the time limits for displaying temporary directional signs and for failing to include an event date on the signs. Unable to reach an accommodation with the Town, petitioners filed suit, claiming that the Code abridged their freedom of speech. The District Court denied their motion for a preliminary injunction, and the Ninth Circuit affirmed, ultimately concluding that the Code’s sign categories were content neutral, and that the Code satisfied the intermediate scrutiny accorded to content-neutral regulations of speech.

Held: The Sign Code’s provisions are content-based regulations of

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speech that do not survive strict scrutiny. Pp. 6–17.

(a) Because content-based laws target speech based on its communicative content, they are presumptively unconstitutional and may be justified only if the government proves that they are narrowly tailored to serve compelling state interests. *E.g.*, *R. A. V. v. St. Paul*, 505 U. S. 377, 395. Speech regulation is content based if a law applies to particular speech because of the topic discussed or the idea or message expressed. *E.g.*, *Sorrell v. IMS Health, Inc.*, 564 U. S. ___, ___–___. And courts are required to consider whether a regulation of speech “on its face” draws distinctions based on the message a speaker conveys. *Id.*, at ___. Whether laws define regulated speech by particular subject matter or by its function or purpose, they are subject to strict scrutiny. The same is true for laws that, though facially content neutral, cannot be “justified without reference to the content of the regulated speech,” or were adopted by the government “because of disagreement with the message” conveyed. *Ward v. Rock Against Racism*, 491 U. S. 781, 791. Pp. 6–7.

(b) The Sign Code is content based on its face. It defines the categories of temporary, political, and ideological signs on the basis of their messages and then subjects each category to different restrictions. The restrictions applied thus depend entirely on the sign’s communicative content. Because the Code, on its face, is a content-based regulation of speech, there is no need to consider the government’s justifications or purposes for enacting the Code to determine whether it is subject to strict scrutiny. Pp. 7.

(c) None of the Ninth Circuit’s theories for its contrary holding is persuasive. Its conclusion that the Town’s regulation was not based on a disagreement with the message conveyed skips the crucial first step in the content-neutrality analysis: determining whether the law is content neutral on its face. A law that is content based on its face is subject to strict scrutiny regardless of the government’s benign motive, content-neutral justification, or lack of “animus toward the ideas contained” in the regulated speech. *Cincinnati v. Discovery Network, Inc.*, 507 U. S. 410, 429. Thus, an innocuous justification cannot transform a facially content-based law into one that is content neutral. A court must evaluate each question—whether a law is content based on its face and whether the purpose and justification for the law are content based—before concluding that a law is content neutral. *Ward* does not require otherwise, for its framework applies only to a content-neutral statute.

The Ninth Circuit’s conclusion that the Sign Code does not single out any idea or viewpoint for discrimination conflates two distinct but related limitations that the First Amendment places on government regulation of speech. Government discrimination among viewpoints

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is a “more blatant” and “egregious form of content discrimination,” *Rosenberger v. Rector and Visitors of Univ. of Va.*, 515 U. S. 819, 829, but “[t]he First Amendment’s hostility to content-based regulation [also] extends . . . to prohibition of public discussion of an entire topic,” *Consolidated Edison Co. of N. Y. v. Public Serv. Comm’n of N. Y.*, 447 U. S. 530, 537. The Sign Code, a paradigmatic example of content-based discrimination, singles out specific subject matter for differential treatment, even if it does not target viewpoints within that subject matter.

The Ninth Circuit also erred in concluding that the Sign Code was not content based because it made only speaker-based and event-based distinctions. The Code’s categories are not speaker-based—the restrictions for political, ideological, and temporary event signs apply equally no matter who sponsors them. And even if the sign categories were speaker based, that would not automatically render the law content neutral. Rather, “laws favoring some speakers over others demand strict scrutiny when the legislature’s speaker preference reflects a content preference.” *Turner Broadcasting System, Inc. v. FCC*, 512 U. S. 622, 658. This same analysis applies to event-based distinctions. Pp. 8–14.

(d) The Sign Code’s content-based restrictions do not survive strict scrutiny because the Town has not demonstrated that the Code’s differentiation between temporary directional signs and other types of signs furthers a compelling governmental interest and is narrowly tailored to that end. See *Arizona Free Enterprise Club’s Freedom Club PAC v. Bennett*, 564 U. S. ___, ___. Assuming that the Town has a compelling interest in preserving its aesthetic appeal and traffic safety, the Code’s distinctions are highly underinclusive. The Town cannot claim that placing strict limits on temporary directional signs is necessary to beautify the Town when other types of signs create the same problem. See *Discovery Network, supra*, at 425. Nor has it shown that temporary directional signs pose a greater threat to public safety than ideological or political signs. Pp. 14–15.

(e) This decision will not prevent governments from enacting effective sign laws. The Town has ample content-neutral options available to resolve problems with safety and aesthetics, including regulating size, building materials, lighting, moving parts, and portability. And the Town may be able to forbid postings on public property, so long as it does so in an evenhanded, content-neutral manner. See *Members of City Council of Los Angeles v. Taxpayers for Vincent*, 466 U. S. 789, 817. An ordinance narrowly tailored to the challenges of protecting the safety of pedestrians, drivers, and passengers—e.g., warning signs marking hazards on private property or signs directing traffic—might also survive strict scrutiny. Pp. 16–17.

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707 F. 3d 1057, reversed and remanded.

THOMAS, J., delivered the opinion of the Court, in which ROBERTS, C. J., and SCALIA, KENNEDY, ALITO, and SOTOMAYOR, JJ., joined. ALITO, J., filed a concurring opinion, in which KENNEDY and SOTOMAYOR, JJ., joined. BREYER, J., filed an opinion concurring in the judgment. KAGAN, J., filed an opinion concurring in the judgment, in which GINSBURG and BREYER, JJ., joined

Opinion of the Court

NOTICE: This opinion is subject to formal revision before publication in the preliminary print of the United States Reports. Readers are requested to notify the Reporter of Decisions, Supreme Court of the United States, Washington, D. C. 20543, of any typographical or other formal errors, in order that corrections may be made before the preliminary print goes to press.

SUPREME COURT OF THE UNITED STATES

No. 13–502

**CLYDE REED, ET AL., PETITIONERS v. TOWN OF
GILBERT, ARIZONA, ET AL.**

**ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE NINTH CIRCUIT**

[June 18, 2015]

JUSTICE THOMAS delivered the opinion of the Court.

The town of Gilbert, Arizona (or Town), has adopted a comprehensive code governing the manner in which people may display outdoor signs. Gilbert, Ariz., Land Development Code (Sign Code or Code), ch. 1, §4.402 (2005).¹ The Sign Code identifies various categories of signs based on the type of information they convey, then subjects each category to different restrictions. One of the categories is “Temporary Directional Signs Relating to a Qualifying Event,” loosely defined as signs directing the public to a meeting of a nonprofit group. §4.402(P). The Code imposes more stringent restrictions on these signs than it does on signs conveying other messages. We hold that these provisions are content-based regulations of speech that cannot survive strict scrutiny.

¹The Town’s Sign Code is available online at <http://www.gilbertaz.gov/departments/development-service/planning-development/land-development-code> (as visited June 16, 2015, and available in Clerk of Court’s case file).

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I
A

The Sign Code prohibits the display of outdoor signs anywhere within the Town without a permit, but it then exempts 23 categories of signs from that requirement. These exemptions include everything from bazaar signs to flying banners. Three categories of exempt signs are particularly relevant here.

The first is “Ideological Sign[s].” This category includes any “sign communicating a message or ideas for noncommercial purposes that is not a Construction Sign, Directional Sign, Temporary Directional Sign Relating to a Qualifying Event, Political Sign, Garage Sale Sign, or a sign owned or required by a governmental agency.” Sign Code, Glossary of General Terms (Glossary), p. 23 (emphasis deleted). Of the three categories discussed here, the Code treats ideological signs most favorably, allowing them to be up to 20 square feet in area and to be placed in all “zoning districts” without time limits. §4.402(J).

The second category is “Political Sign[s].” This includes any “temporary sign designed to influence the outcome of an election called by a public body.” Glossary 23.² The Code treats these signs less favorably than ideological signs. The Code allows the placement of political signs up to 16 square feet on residential property and up to 32 square feet on nonresidential property, undeveloped municipal property, and “rights-of-way.” §4.402(I).³ These signs may be displayed up to 60 days before a primary election and up to 15 days following a general election. *Ibid.*

²A “Temporary Sign” is a “sign not permanently attached to the ground, a wall or a building, and not designed or intended for permanent display.” Glossary 25.

³The Code defines “Right-of-Way” as a “strip of publicly owned land occupied by or planned for a street, utilities, landscaping, sidewalks, trails, and similar facilities.” *Id.*, at 18.

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The third category is “Temporary Directional Signs Relating to a Qualifying Event.” This includes any “Temporary Sign intended to direct pedestrians, motorists, and other passersby to a ‘qualifying event.’” Glossary 25 (emphasis deleted). A “qualifying event” is defined as any “assembly, gathering, activity, or meeting sponsored, arranged, or promoted by a religious, charitable, community service, educational, or other similar non-profit organization.” *Ibid.* The Code treats temporary directional signs even less favorably than political signs.⁴ Temporary directional signs may be no larger than six square feet. §4.402(P). They may be placed on private property or on a public right-of-way, but no more than four signs may be placed on a single property at any time. *Ibid.* And, they may be displayed no more than 12 hours before the “qualifying event” and no more than 1 hour afterward. *Ibid.*

B

Petitioners Good News Community Church (Church) and its pastor, Clyde Reed, wish to advertise the time and location of their Sunday church services. The Church is a small, cash-strapped entity that owns no building, so it holds its services at elementary schools or other locations in or near the Town. In order to inform the public about its services, which are held in a variety of different loca-

⁴The Sign Code has been amended twice during the pendency of this case. When litigation began in 2007, the Code defined the signs at issue as “Religious Assembly Temporary Direction Signs.” App. 75. The Code entirely prohibited placement of those signs in the public right-of-way, and it forbade posting them in any location for more than two hours before the religious assembly or more than one hour afterward. *Id.*, at 75–76. In 2008, the Town redefined the category as “Temporary Directional Signs Related to a Qualifying Event,” and it expanded the time limit to 12 hours before and 1 hour after the “qualifying event.” *Ibid.* In 2011, the Town amended the Code to authorize placement of temporary directional signs in the public right-of-way. *Id.*, at 89.

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tions, the Church began placing 15 to 20 temporary signs around the Town, frequently in the public right-of-way abutting the street. The signs typically displayed the Church's name, along with the time and location of the upcoming service. Church members would post the signs early in the day on Saturday and then remove them around midday on Sunday. The display of these signs requires little money and manpower, and thus has proved to be an economical and effective way for the Church to let the community know where its services are being held each week.

This practice caught the attention of the Town's Sign Code compliance manager, who twice cited the Church for violating the Code. The first citation noted that the Church exceeded the time limits for displaying its temporary directional signs. The second citation referred to the same problem, along with the Church's failure to include the date of the event on the signs. Town officials even confiscated one of the Church's signs, which Reed had to retrieve from the municipal offices.

Reed contacted the Sign Code Compliance Department in an attempt to reach an accommodation. His efforts proved unsuccessful. The Town's Code compliance manager informed the Church that there would be "no leniency under the Code" and promised to punish any future violations.

Shortly thereafter, petitioners filed a complaint in the United States District Court for the District of Arizona, arguing that the Sign Code abridged their freedom of speech in violation of the First and Fourteenth Amendments. The District Court denied the petitioners' motion for a preliminary injunction. The Court of Appeals for the Ninth Circuit affirmed, holding that the Sign Code's provision regulating temporary directional signs did not regulate speech on the basis of content. 587 F.3d 966, 979 (2009). It reasoned that, even though an enforcement

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officer would have to read the sign to determine what provisions of the Sign Code applied to it, the “kind of cursory examination” that would be necessary for an officer to classify it as a temporary directional sign was “not akin to an officer synthesizing the expressive content of the sign.” *Id.*, at 978. It then remanded for the District Court to determine in the first instance whether the Sign Code’s distinctions among temporary directional signs, political signs, and ideological signs nevertheless constituted a content-based regulation of speech.

On remand, the District Court granted summary judgment in favor of the Town. The Court of Appeals again affirmed, holding that the Code’s sign categories were content neutral. The court concluded that “the distinctions between Temporary Directional Signs, Ideological Signs, and Political Signs . . . are based on objective factors relevant to Gilbert’s creation of the specific exemption from the permit requirement and do not otherwise consider the substance of the sign.” 707 F. 3d 1057, 1069 (CA9 2013). Relying on this Court’s decision in *Hill v. Colorado*, 530 U. S. 703 (2000), the Court of Appeals concluded that the Sign Code is content neutral. 707 F. 3d, at 1071–1072. As the court explained, “Gilbert did not adopt its regulation of speech because it disagreed with the message conveyed” and its “interests in regulat[ing] temporary signs are unrelated to the content of the sign.” *Ibid.* Accordingly, the court believed that the Code was “content-neutral as that term [has been] defined by the Supreme Court.” *Id.*, at 1071. In light of that determination, it applied a lower level of scrutiny to the Sign Code and concluded that the law did not violate the First Amendment. *Id.*, at 1073–1076.

We granted certiorari, 573 U. S. ____ (2014), and now reverse.

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II

A

The First Amendment, applicable to the States through the Fourteenth Amendment, prohibits the enactment of laws “abridging the freedom of speech.” U. S. Const., Amdt. 1. Under that Clause, a government, including a municipal government vested with state authority, “has no power to restrict expression because of its message, its ideas, its subject matter, or its content.” *Police Dept. of Chicago v. Mosley*, 408 U. S. 92, 95 (1972). Content-based laws—those that target speech based on its communicative content—are presumptively unconstitutional and may be justified only if the government proves that they are narrowly tailored to serve compelling state interests. *R. A. V. v. St. Paul*, 505 U. S. 377, 395 (1992); *Simon & Schuster, Inc. v. Members of N. Y. State Crime Victims Bd.*, 502 U. S. 105, 115, 118 (1991).

Government regulation of speech is content based if a law applies to particular speech because of the topic discussed or the idea or message expressed. *E.g.*, *Sorrell v. IMS Health, Inc.*, 564 U. S. ___, ___-___ (2011) (slip op., at 8-9); *Carey v. Brown*, 447 U. S. 455, 462 (1980); *Mosley, supra*, at 95. This commonsense meaning of the phrase “content based” requires a court to consider whether a regulation of speech “on its face” draws distinctions based on the message a speaker conveys. *Sorrell, supra*, at ___ (slip op., at 8). Some facial distinctions based on a message are obvious, defining regulated speech by particular subject matter, and others are more subtle, defining regulated speech by its function or purpose. Both are distinctions drawn based on the message a speaker conveys, and, therefore, are subject to strict scrutiny.

Our precedents have also recognized a separate and additional category of laws that, though facially content neutral, will be considered content-based regulations of speech: laws that cannot be “justified without reference to

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the content of the regulated speech,” or that were adopted by the government “because of disagreement with the message [the speech] conveys,” *Ward v. Rock Against Racism*, 491 U. S. 781, 791 (1989). Those laws, like those that are content based on their face, must also satisfy strict scrutiny.

B

The Town’s Sign Code is content based on its face. It defines “Temporary Directional Signs” on the basis of whether a sign conveys the message of directing the public to church or some other “qualifying event.” Glossary 25. It defines “Political Signs” on the basis of whether a sign’s message is “designed to influence the outcome of an election.” *Id.*, at 24. And it defines “Ideological Signs” on the basis of whether a sign “communicat[es] a message or ideas” that do not fit within the Code’s other categories. *Id.*, at 23. It then subjects each of these categories to different restrictions.

The restrictions in the Sign Code that apply to any given sign thus depend entirely on the communicative content of the sign. If a sign informs its reader of the time and place a book club will discuss John Locke’s *Two Treatises of Government*, that sign will be treated differently from a sign expressing the view that one should vote for one of Locke’s followers in an upcoming election, and both signs will be treated differently from a sign expressing an ideological view rooted in Locke’s theory of government. More to the point, the Church’s signs inviting people to attend its worship services are treated differently from signs conveying other types of ideas. On its face, the Sign Code is a content-based regulation of speech. We thus have no need to consider the government’s justifications or purposes for enacting the Code to determine whether it is subject to strict scrutiny.

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C

In reaching the contrary conclusion, the Court of Appeals offered several theories to explain why the Town's Sign Code should be deemed content neutral. None is persuasive.

1

The Court of Appeals first determined that the Sign Code was content neutral because the Town "did not adopt its regulation of speech [based on] disagree[ment] with the message conveyed," and its justifications for regulating temporary directional signs were "unrelated to the content of the sign." 707 F. 3d, at 1071–1072. In its brief to this Court, the United States similarly contends that a sign regulation is content neutral—even if it expressly draws distinctions based on the sign's communicative content—if those distinctions can be "justified without reference to the content of the regulated speech." Brief for United States as *Amicus Curiae* 20, 24 (quoting *Ward, supra*, at 791; emphasis deleted).

But this analysis skips the crucial first step in the content-neutrality analysis: determining whether the law is content neutral on its face. A law that is content based on its face is subject to strict scrutiny regardless of the government's benign motive, content-neutral justification, or lack of "animus toward the ideas contained" in the regulated speech. *Cincinnati v. Discovery Network, Inc.*, 507 U. S. 410, 429 (1993). We have thus made clear that "[i]llicit legislative intent is not the *sine qua non* of a violation of the First Amendment," and a party opposing the government "need adduce 'no evidence of an improper censorial motive.'" *Simon & Schuster, supra*, at 117. Although "a content-based purpose may be sufficient in certain circumstances to show that a regulation is content based, it is not necessary." *Turner Broadcasting System, Inc. v. FCC*, 512 U. S. 622, 642 (1994). In other words, an

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innocuous justification cannot transform a facially content-based law into one that is content neutral.

That is why we have repeatedly considered whether a law is content neutral on its face *before* turning to the law's justification or purpose. See, e.g., *Sorrell, supra*, at ____–__ (slip op., at 8–9) (statute was content based “on its face,” and there was also evidence of an impermissible legislative motive); *United States v. Eichman*, 496 U. S. 310, 315 (1990) (“Although the [statute] contains no explicit content-based limitation on the scope of prohibited conduct, it is nevertheless clear that the Government’s asserted *interest* is related to the suppression of free expression” (internal quotation marks omitted)); *Members of City Council of Los Angeles v. Taxpayers for Vincent*, 466 U. S. 789, 804 (1984) (“The text of the ordinance is neutral,” and “there is not even a hint of bias or censorship in the City’s enactment or enforcement of this ordinance”); *Clark v. Community for Creative Non-Violence*, 468 U. S. 288, 293 (1984) (requiring that a facially content-neutral ban on camping must be “justified without reference to the content of the regulated speech”); *United States v. O’Brien*, 391 U. S. 367, 375, 377 (1968) (noting that the statute “on its face deals with conduct having no connection with speech,” but examining whether the “the governmental interest is unrelated to the suppression of free expression”). Because strict scrutiny applies either when a law is content based on its face or when the purpose and justification for the law are content based, a court must evaluate each question before it concludes that the law is content neutral and thus subject to a lower level of scrutiny.

The Court of Appeals and the United States misunderstand our decision in *Ward* as suggesting that a government’s purpose is relevant even when a law is content based on its face. That is incorrect. *Ward* had nothing to say about facially content-based restrictions because it involved a facially content-*neutral* ban on the use, in a

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city-owned music venue, of sound amplification systems not provided by the city. 491 U. S., at 787, and n. 2. In that context, we looked to governmental motive, including whether the government had regulated speech “because of disagreement” with its message, and whether the regulation was “justified without reference to the content of the speech.” *Id.*, at 791. But *Ward’s* framework “applies only if a statute is content neutral.” *Hill*, 530 U. S., at 766 (KENNEDY, J., dissenting). Its rules thus operate “to protect speech,” not “to restrict it.” *Id.*, at 765.

The First Amendment requires no less. Innocent motives do not eliminate the danger of censorship presented by a facially content-based statute, as future government officials may one day wield such statutes to suppress disfavored speech. That is why the First Amendment expressly targets the operation of the laws—*i.e.*, the “abridg[ement] of speech”—rather than merely the motives of those who enacted them. U. S. Const., Amdt. 1. “The vice of content-based legislation . . . is not that it is always used for invidious, thought-control purposes, but that it lends itself to use for those purposes.” *Hill, supra*, at 743 (SCALIA, J., dissenting).

For instance, in *NAACP v. Button*, 371 U. S. 415 (1963), the Court encountered a State’s attempt to use a statute prohibiting “‘improper solicitation’” by attorneys to outlaw litigation-related speech of the National Association for the Advancement of Colored People. *Id.*, at 438. Although *Button* predated our more recent formulations of strict scrutiny, the Court rightly rejected the State’s claim that its interest in the “regulation of professional conduct” rendered the statute consistent with the First Amendment, observing that “it is no answer . . . to say . . . that the purpose of these regulations was merely to insure high professional standards and not to curtail free expression.” *Id.*, at 438–439. Likewise, one could easily imagine a Sign Code compliance manager who disliked the Church’s

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substantive teachings deploying the Sign Code to make it more difficult for the Church to inform the public of the location of its services. Accordingly, we have repeatedly “rejected the argument that ‘discriminatory . . . treatment is suspect under the First Amendment only when the legislature intends to suppress certain ideas.’” *Discovery Network*, 507 U. S., at 429. We do so again today.

2

The Court of Appeals next reasoned that the Sign Code was content neutral because it “does not mention any idea or viewpoint, let alone single one out for differential treatment.” 587 F. 3d, at 977. It reasoned that, for the purpose of the Code provisions, “[i]t makes no difference which candidate is supported, who sponsors the event, or what ideological perspective is asserted.” 707 F. 3d, at 1069.

The Town seizes on this reasoning, insisting that “content based” is a term of art that “should be applied flexibly” with the goal of protecting “viewpoints and ideas from government censorship or favoritism.” Brief for Respondents 22. In the Town’s view, a sign regulation that “does not censor or favor particular viewpoints or ideas” cannot be content based. *Ibid.* The Sign Code allegedly passes this test because its treatment of temporary directional signs does not raise any concerns that the government is “endorsing or suppressing ‘ideas or viewpoints,’” *id.*, at 27, and the provisions for political signs and ideological signs “are neutral as to particular ideas or viewpoints” within those categories. *Id.*, at 37.

This analysis conflates two distinct but related limitations that the First Amendment places on government regulation of speech. Government discrimination among viewpoints—or the regulation of speech based on “the specific motivating ideology or the opinion or perspective of the speaker”—is a “more blatant” and “egregious form of

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content discrimination.” *Rosenberger v. Rector and Visitors of Univ. of Va.*, 515 U. S. 819, 829 (1995). But it is well established that “[t]he First Amendment’s hostility to content-based regulation extends not only to restrictions on particular viewpoints, but also to prohibition of public discussion of an entire topic.” *Consolidated Edison Co. of N. Y. v. Public Serv. Comm’n of N. Y.*, 447 U. S. 530, 537 (1980).

Thus, a speech regulation targeted at specific subject matter is content based even if it does not discriminate among viewpoints within that subject matter. *Ibid.* For example, a law banning the use of sound trucks for political speech—and only political speech—would be a content-based regulation, even if it imposed no limits on the political viewpoints that could be expressed. See *Discovery Network, supra*, at 428. The Town’s Sign Code likewise singles out specific subject matter for differential treatment, even if it does not target viewpoints within that subject matter. Ideological messages are given more favorable treatment than messages concerning a political candidate, which are themselves given more favorable treatment than messages announcing an assembly of like-minded individuals. That is a paradigmatic example of content-based discrimination.

3

Finally, the Court of Appeals characterized the Sign Code’s distinctions as turning on “the content-neutral elements of who is speaking through the sign and whether and when an event is occurring.” 707 F. 3d, at 1069. That analysis is mistaken on both factual and legal grounds.

To start, the Sign Code’s distinctions are not speaker based. The restrictions for political, ideological, and temporary event signs apply equally no matter who sponsors them. If a local business, for example, sought to put up

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signs advertising the Church's meetings, those signs would be subject to the same limitations as such signs placed by the Church. And if Reed had decided to display signs in support of a particular candidate, he could have made those signs far larger—and kept them up for far longer—than signs inviting people to attend his church services. If the Code's distinctions were truly speaker based, both types of signs would receive the same treatment.

In any case, the fact that a distinction is speaker based does not, as the Court of Appeals seemed to believe, automatically render the distinction content neutral. Because “[s]peech restrictions based on the identity of the speaker are all too often simply a means to control content,” *Citizens United v. Federal Election Comm’n*, 558 U. S. 310, 340 (2010), we have insisted that “laws favoring some speakers over others demand strict scrutiny when the legislature’s speaker preference reflects a content preference,” *Turner*, 512 U. S., at 658. Thus, a law limiting the content of newspapers, but only newspapers, could not evade strict scrutiny simply because it could be characterized as speaker based. Likewise, a content-based law that restricted the political speech of all corporations would not become content neutral just because it singled out corporations as a class of speakers. See *Citizens United*, *supra*, at 340–341. Characterizing a distinction as speaker based is only the beginning—not the end—of the inquiry.

Nor do the Sign Code's distinctions hinge on “whether and when an event is occurring.” The Code does not permit citizens to post signs on any topic whatsoever within a set period leading up to an election, for example. Instead, come election time, it requires Town officials to determine whether a sign is “designed to influence the outcome of an election” (and thus “political”) or merely “communicating a message or ideas for noncommercial purposes” (and thus “ideological”). Glossary 24. That obvious content-based

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inquiry does not evade strict scrutiny review simply because an event (*i.e.*, an election) is involved.

And, just as with speaker-based laws, the fact that a distinction is event based does not render it content neutral. The Court of Appeals cited no precedent from this Court supporting its novel theory of an exception from the content-neutrality requirement for event-based laws. As we have explained, a speech regulation is content based if the law applies to particular speech because of the topic discussed or the idea or message expressed. *Supra*, at 6. A regulation that targets a sign because it conveys an idea about a specific event is no less content based than a regulation that targets a sign because it conveys some other idea. Here, the Code singles out signs bearing a particular message: the time and location of a specific event. This type of ordinance may seem like a perfectly rational way to regulate signs, but a clear and firm rule governing content neutrality is an essential means of protecting the freedom of speech, even if laws that might seem “entirely reasonable” will sometimes be “struck down because of their content-based nature.” *City of Ladue v. Gilleo*, 512 U. S. 43, 60 (1994) (O’Connor, J., concurring).

III

Because the Town’s Sign Code imposes content-based restrictions on speech, those provisions can stand only if they survive strict scrutiny, “‘which requires the Government to prove that the restriction furthers a compelling interest and is narrowly tailored to achieve that interest,’” *Arizona Free Enterprise Club’s Freedom Club PAC v. Bennett*, 564 U. S. ___, ___ (2011) (slip op., at 8) (quoting *Citizens United*, 558 U. S., at 340). Thus, it is the Town’s burden to demonstrate that the Code’s differentiation between temporary directional signs and other types of signs, such as political signs and ideological signs, furthers a compelling governmental interest and is narrowly tai-

Opinion of the Court

lored to that end. See *ibid.*

The Town cannot do so. It has offered only two governmental interests in support of the distinctions the Sign Code draws: preserving the Town's aesthetic appeal and traffic safety. Assuming for the sake of argument that those are compelling governmental interests, the Code's distinctions fail as hopelessly underinclusive.

Starting with the preservation of aesthetics, temporary directional signs are "no greater an eyesore," *Discovery Network*, 507 U. S., at 425, than ideological or political ones. Yet the Code allows unlimited proliferation of larger ideological signs while strictly limiting the number, size, and duration of smaller directional ones. The Town cannot claim that placing strict limits on temporary directional signs is necessary to beautify the Town while at the same time allowing unlimited numbers of other types of signs that create the same problem.

The Town similarly has not shown that limiting temporary directional signs is necessary to eliminate threats to traffic safety, but that limiting other types of signs is not. The Town has offered no reason to believe that directional signs pose a greater threat to safety than do ideological or political signs. If anything, a sharply worded ideological sign seems more likely to distract a driver than a sign directing the public to a nearby church meeting.

In light of this underinclusiveness, the Town has not met its burden to prove that its Sign Code is narrowly tailored to further a compelling government interest. Because a "law cannot be regarded as protecting an interest of the highest order, and thus as justifying a restriction on truthful speech, when it leaves appreciable damage to that supposedly vital interest unprohibited," *Republican Party of Minn. v. White*, 536 U. S. 765, 780 (2002), the Sign Code fails strict scrutiny.

Opinion of the Court

IV

Our decision today will not prevent governments from enacting effective sign laws. The Town asserts that an “absolutist” content-neutrality rule would render “virtually all distinctions in sign laws . . . subject to strict scrutiny,” Brief for Respondents 34–35, but that is not the case. Not “all distinctions” are subject to strict scrutiny, only *content-based* ones are. Laws that are *content neutral* are instead subject to lesser scrutiny. See *Clark*, 468 U. S., at 295.

The Town has ample content-neutral options available to resolve problems with safety and aesthetics. For example, its current Code regulates many aspects of signs that have nothing to do with a sign’s message: size, building materials, lighting, moving parts, and portability. See, e.g., §4.402(R). And on public property, the Town may go a long way toward entirely forbidding the posting of signs, so long as it does so in an evenhanded, content-neutral manner. See *Taxpayers for Vincent*, 466 U. S., at 817 (upholding content-neutral ban against posting signs on public property). Indeed, some lower courts have long held that similar content-based sign laws receive strict scrutiny, but there is no evidence that towns in those jurisdictions have suffered catastrophic effects. See, e.g., *Solantic, LLC v. Neptune Beach*, 410 F. 3d 1250, 1264–1269 (CA11 2005) (sign categories similar to the town of Gilbert’s were content based and subject to strict scrutiny); *Matthews v. Needham*, 764 F. 2d 58, 59–60 (CA1 1985) (law banning political signs but not commercial signs was content based and subject to strict scrutiny).

We acknowledge that a city might reasonably view the general regulation of signs as necessary because signs “take up space and may obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation.” *City of Ladue*, 512 U. S., at 48. At the same time, the presence of certain

Opinion of the Court

signs may be essential, both for vehicles and pedestrians, to guide traffic or to identify hazards and ensure safety. A sign ordinance narrowly tailored to the challenges of protecting the safety of pedestrians, drivers, and passengers—such as warning signs marking hazards on private property, signs directing traffic, or street numbers associated with private houses—well might survive strict scrutiny. The signs at issue in this case, including political and ideological signs and signs for events, are far removed from those purposes. As discussed above, they are facially content based and are neither justified by traditional safety concerns nor narrowly tailored.

* * *

We reverse the judgment of the Court of Appeals and remand the case for proceedings consistent with this opinion.

It is so ordered.

ALITO, J., concurring

SUPREME COURT OF THE UNITED STATES

No. 13–502

CLYDE REED, ET AL., PETITIONERS *v.* TOWN OF
GILBERT, ARIZONA, ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE NINTH CIRCUIT

[June 18, 2015]

JUSTICE ALITO, with whom JUSTICE KENNEDY and
JUSTICE SOTOMAYOR join, concurring.

I join the opinion of the Court but add a few words of
further explanation.

As the Court holds, what we have termed “content-
based” laws must satisfy strict scrutiny. Content-based
laws merit this protection because they present, albeit
sometimes in a subtler form, the same dangers as laws
that regulate speech based on viewpoint. Limiting speech
based on its “topic” or “subject” favors those who do not
want to disturb the status quo. Such regulations may
interfere with democratic self-government and the search
for truth. See *Consolidated Edison Co. of N. Y. v. Public
Serv. Comm’n of N. Y.*, 447 U. S. 530, 537 (1980).

As the Court shows, the regulations at issue in this case
are replete with content-based distinctions, and as a result
they must satisfy strict scrutiny. This does not mean,
however, that municipalities are powerless to enact and
enforce reasonable sign regulations. I will not attempt to
provide anything like a comprehensive list, but here are
some rules that would not be content based:

Rules regulating the size of signs. These rules may
distinguish among signs based on any content-neutral
criteria, including any relevant criteria listed below.

Rules regulating the locations in which signs may be

ALITO, J., concurring

placed. These rules may distinguish between free-standing signs and those attached to buildings.

Rules distinguishing between lighted and unlighted signs.

Rules distinguishing between signs with fixed messages and electronic signs with messages that change.

Rules that distinguish between the placement of signs on private and public property.

Rules distinguishing between the placement of signs on commercial and residential property.

Rules distinguishing between on-premises and off-premises signs.

Rules restricting the total number of signs allowed per mile of roadway.

Rules imposing time restrictions on signs advertising a one-time event. Rules of this nature do not discriminate based on topic or subject and are akin to rules restricting the times within which oral speech or music is allowed.*

In addition to regulating signs put up by private actors, government entities may also erect their own signs consistent with the principles that allow governmental speech. See *Pleasant Grove City v. Summum*, 555 U. S. 460, 467–469 (2009). They may put up all manner of signs to promote safety, as well as directional signs and signs pointing out historic sites and scenic spots.

Properly understood, today's decision will not prevent cities from regulating signs in a way that fully protects public safety and serves legitimate esthetic objectives.

* Of course, content-neutral restrictions on speech are not necessarily consistent with the First Amendment. Time, place, and manner restrictions "must be narrowly tailored to serve the government's legitimate, content-neutral interests." *Ward v. Rock Against Racism*, 491 U. S. 781, 798 (1989). But they need not meet the high standard imposed on viewpoint- and content-based restrictions.

BREYER, J., concurring in judgment

SUPREME COURT OF THE UNITED STATES

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[June 18, 2015]

JUSTICE BREYER, concurring in the judgment.

I join JUSTICE KAGAN’s separate opinion. Like JUSTICE KAGAN I believe that categories alone cannot satisfactorily resolve the legal problem before us. The First Amendment requires greater judicial sensitivity both to the Amendment’s expressive objectives and to the public’s legitimate need for regulation than a simple recitation of categories, such as “content discrimination” and “strict scrutiny,” would permit. In my view, the category “content discrimination” is better considered in many contexts, including here, as a rule of thumb, rather than as an automatic “strict scrutiny” trigger, leading to almost certain legal condemnation.

To use content discrimination to trigger strict scrutiny sometimes makes perfect sense. There are cases in which the Court has found content discrimination an unconstitutional method for suppressing a viewpoint. *E.g.*, *Rosenberger v. Rector and Visitors of Univ. of Va.*, 515 U. S. 819, 828–829 (1995); see also *Boos v. Barry*, 485 U. S. 312, 318–319 (1988) (plurality opinion) (applying strict scrutiny where the line between subject matter and viewpoint was not obvious). And there are cases where the Court has found content discrimination to reveal that rules governing a traditional public forum are, in fact, not a neutral way of fairly managing the forum in the interest of all

BREYER, J., concurring in judgment

speakers. *Police Dept. of Chicago v. Mosley*, 408 U. S. 92, 96 (1972) (“Once a forum is opened up to assembly or speaking by some groups, government may not prohibit others from assembling or speaking on the basis of what they intend to say”). In these types of cases, strict scrutiny is often appropriate, and content discrimination has thus served a useful purpose.

But content discrimination, while helping courts to identify unconstitutional suppression of expression, cannot and should not *always* trigger strict scrutiny. To say that it is not an automatic “strict scrutiny” trigger is not to argue against that concept’s use. I readily concede, for example, that content discrimination, as a conceptual tool, can sometimes reveal weaknesses in the government’s rationale for a rule that limits speech. If, for example, a city looks to litter prevention as the rationale for a prohibition against placing newsracks dispensing free advertisements on public property, why does it exempt other newsracks causing similar litter? Cf. *Cincinnati v. Discovery Network, Inc.*, 507 U. S. 410 (1993). I also concede that, whenever government disfavors one kind of speech, it places that speech at a disadvantage, potentially interfering with the free marketplace of ideas and with an individual’s ability to express thoughts and ideas that can help that individual determine the kind of society in which he wishes to live, help shape that society, and help define his place within it.

Nonetheless, in these latter instances to use the presence of content discrimination automatically to trigger strict scrutiny and thereby call into play a strong presumption against constitutionality goes too far. That is because virtually all government activities involve speech, many of which involve the regulation of speech. Regulatory programs almost always require content discrimination. And to hold that such content discrimination triggers strict scrutiny is to write a recipe for judicial management

BREYER, J., concurring in judgment

of ordinary government regulatory activity.

Consider a few examples of speech regulated by government that inevitably involve content discrimination, but where a strong presumption against constitutionality has no place. Consider governmental regulation of securities, *e.g.*, 15 U. S. C. §78l (requirements for content that must be included in a registration statement); of energy conservation labeling-practices, *e.g.*, 42 U. S. C. §6294 (requirements for content that must be included on labels of certain consumer electronics); of prescription drugs, *e.g.*, 21 U. S. C. §353(b)(4)(A) (requiring a prescription drug label to bear the symbol “Rx only”); of doctor-patient confidentiality, *e.g.*, 38 U. S. C. §7332 (requiring confidentiality of certain medical records, but allowing a physician to disclose that the patient has HIV to the patient’s spouse or sexual partner); of income tax statements, *e.g.*, 26 U. S. C. §6039F (requiring taxpayers to furnish information about foreign gifts received if the aggregate amount exceeds \$10,000); of commercial airplane briefings, *e.g.*, 14 CFR §136.7 (2015) (requiring pilots to ensure that each passenger has been briefed on flight procedures, such as seatbelt fastening); of signs at petting zoos, *e.g.*, N. Y. Gen. Bus. Law Ann. §399–ff(3) (West Cum. Supp. 2015) (requiring petting zoos to post a sign at every exit “‘strongly recommend[ing] that persons wash their hands upon exiting the petting zoo area’”); and so on.

Nor can the majority avoid the application of strict scrutiny to all sorts of justifiable governmental regulations by relying on this Court’s many subcategories and exceptions to the rule. The Court has said, for example, that we should apply less strict standards to “commercial speech.” *Central Hudson Gas & Elec. Corp. v. Public Service Comm’n of N. Y.*, 447 U. S. 557, 562–563 (1980). But I have great concern that many justifiable instances of “content-based” regulation are noncommercial. And, worse than that, the Court has applied the heightened

BREYER, J., concurring in judgment

“strict scrutiny” standard even in cases where the less stringent “commercial speech” standard was appropriate. See *Sorrell v. IMS Health Inc.*, 564 U. S. ___, ___ (2011) (BREYER, J., dissenting) (slip op., at ___). The Court has also said that “government speech” escapes First Amendment strictures. See *Rust v. Sullivan*, 500 U. S. 173, 193–194 (1991). But regulated speech is typically private speech, not government speech. Further, the Court has said that, “[w]hen the basis for the content discrimination consists entirely of the very reason the entire class of speech at issue is proscribable, no significant danger of idea or viewpoint discrimination exists.” *R. A. V. v. St. Paul*, 505 U. S. 377, 388 (1992). But this exception accounts for only a few of the instances in which content discrimination is readily justifiable.

I recognize that the Court could escape the problem by watering down the force of the presumption against constitutionality that “strict scrutiny” normally carries with it. But, in my view, doing so will weaken the First Amendment’s protection in instances where “strict scrutiny” should apply in full force.

The better approach is to generally treat content discrimination as a strong reason weighing against the constitutionality of a rule where a traditional public forum, or where viewpoint discrimination, is threatened, but elsewhere treat it as a rule of thumb, finding it a helpful, but not determinative legal tool, in an appropriate case, to determine the strength of a justification. I would use content discrimination as a supplement to a more basic analysis, which, tracking most of our First Amendment cases, asks whether the regulation at issue works harm to First Amendment interests that is disproportionate in light of the relevant regulatory objectives. Answering this question requires examining the seriousness of the harm to speech, the importance of the countervailing objectives, the extent to which the law will achieve those objectives,

BREYER, J., concurring in judgment

and whether there are other, less restrictive ways of doing so. See, e.g., *United States v. Alvarez*, 567 U. S. ___, ___–___ (2012) (BREYER, J., concurring in judgment) (slip op., at 1–3); *Nixon v. Shrink Missouri Government PAC*, 528 U. S. 377, 400–403 (2000) (BREYER, J., concurring). Admittedly, this approach does not have the simplicity of a mechanical use of categories. But it does permit the government to regulate speech in numerous instances where the voters have authorized the government to regulate and where courts should hesitate to substitute judicial judgment for that of administrators.

Here, regulation of signage along the roadside, for purposes of safety and beautification is at issue. There is no traditional public forum nor do I find any general effort to censor a particular viewpoint. Consequently, the specific regulation at issue does not warrant “strict scrutiny.” Nonetheless, for the reasons that JUSTICE KAGAN sets forth, I believe that the Town of Gilbert’s regulatory rules violate the First Amendment. I consequently concur in the Court’s judgment only.

KAGAN, J., concurring in judgment

SUPREME COURT OF THE UNITED STATES

No. 13–502

CLYDE REED, ET AL., PETITIONERS *v.* TOWN OF
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APPEALS FOR THE NINTH CIRCUIT

[June 18, 2015]

JUSTICE KAGAN, with whom JUSTICE GINSBURG and JUSTICE BREYER join, concurring in the judgment.

Countless cities and towns across America have adopted ordinances regulating the posting of signs, while exempting certain categories of signs based on their subject matter. For example, some municipalities generally prohibit illuminated signs in residential neighborhoods, but lift that ban for signs that identify the address of a home or the name of its owner or occupant. See, *e.g.*, City of Truth or Consequences, N. M., Code of Ordinances, ch. 16, Art. XIII, §§11–13–2.3, 11–13–2.9(H)(4) (2014). In other municipalities, safety signs such as “Blind Pedestrian Crossing” and “Hidden Driveway” can be posted without a permit, even as other permanent signs require one. See, *e.g.*, Code of Athens-Clarke County, Ga., Pt. III, §7–4–7(1) (1993). Elsewhere, historic site markers—for example, “George Washington Slept Here”—are also exempt from general regulations. See, *e.g.*, Dover, Del., Code of Ordinances, Pt. II, App. B, Art. 5, §4.5(F) (2012). And similarly, the federal Highway Beautification Act limits signs along interstate highways unless, for instance, they direct travelers to “scenic and historical attractions” or advertise free coffee. See 23 U. S. C. §§131(b), (c)(1), (c)(5).

Given the Court’s analysis, many sign ordinances of that kind are now in jeopardy. See *ante*, at 14 (acknowledging

KAGAN, J., concurring in judgment

that “entirely reasonable” sign laws “will sometimes be struck down” under its approach (internal quotation marks omitted). Says the majority: When laws “single[] out specific subject matter,” they are “facially content based”; and when they are facially content based, they are automatically subject to strict scrutiny. *Ante*, at 12, 16–17. And although the majority holds out hope that some sign laws with subject-matter exemptions “might survive” that stringent review, *ante*, at 17, the likelihood is that most will be struck down. After all, it is the “rare case[] in which a speech restriction withstands strict scrutiny.” *Williams-Yulee v. Florida Bar*, 575 U. S. ___, ___ (2015) (slip op., at 9). To clear that high bar, the government must show that a content-based distinction “is necessary to serve a compelling state interest and is narrowly drawn to achieve that end.” *Arkansas Writers’ Project, Inc. v. Ragland*, 481 U. S. 221, 231 (1987). So on the majority’s view, courts would have to determine that a town has a compelling interest in informing passersby where George Washington slept. And likewise, courts would have to find that a town has no other way to prevent hidden-driveway mishaps than by specially treating hidden-driveway signs. (Well-placed speed bumps? Lower speed limits? Or how about just a ban on hidden driveways?) The consequence—unless courts water down strict scrutiny to something unrecognizable—is that our communities will find themselves in an unenviable bind: They will have to either repeal the exemptions that allow for helpful signs on streets and sidewalks, or else lift their sign restrictions altogether and resign themselves to the resulting clutter.*

* Even in trying (commendably) to limit today’s decision, JUSTICE ALITO’s concurrence highlights its far-reaching effects. According to JUSTICE ALITO, the majority does not subject to strict scrutiny regulations of “signs advertising a one-time event.” *Ante*, at 2 (ALITO, J., concurring). But of course it does. On the majority’s view, a law with an exception for such signs “singles out specific subject matter for

KAGAN, J., concurring in judgment

Although the majority insists that applying strict scrutiny to all such ordinances is “essential” to protecting First Amendment freedoms, *ante*, at 14, I find it challenging to understand why that is so. This Court’s decisions articulate two important and related reasons for subjecting content-based speech regulations to the most exacting standard of review. The first is “to preserve an uninhibited marketplace of ideas in which truth will ultimately prevail.” *McCullen v. Coakley*, 573 U. S. ___, ___ (2014) (slip op., at 8–9) (internal quotation marks omitted). The second is to ensure that the government has not regulated speech “based on hostility—or favoritism—towards the underlying message expressed.” *R. A. V. v. St. Paul*, 505 U. S. 377, 386 (1992). Yet the subject-matter exemptions included in many sign ordinances do not implicate those concerns. Allowing residents, say, to install a light bulb over “name and address” signs but no others does not distort the marketplace of ideas. Nor does that different treatment give rise to an inference of impermissible government motive.

We apply strict scrutiny to facially content-based regulations of speech, in keeping with the rationales just described, when there is any “realistic possibility that official suppression of ideas is afoot.” *Davenport v. Washington Ed. Assn.*, 551 U. S. 177, 189 (2007) (quoting *R. A. V.*, 505 U. S., at 390). That is always the case when the regulation facially differentiates on the basis of viewpoint. See *Rosenberger v. Rector and Visitors of Univ. of Va.*, 515 U. S. 819, 829 (1995). It is also the case (except in non-public or limited public forums) when a law restricts “discussion of an entire topic” in public debate. *Consolidated*

differential treatment” and “defin[es] regulated speech by particular subject matter.” *Ante*, at 6, 12 (majority opinion). Indeed, the precise reason the majority applies strict scrutiny here is that “the Code singles out signs bearing a particular message: the time and location of a specific event.” *Ante*, at 14.

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Edison Co. of N. Y. v. Public Serv. Comm'n of N. Y., 447 U. S. 530, 537, 539–540 (1980) (invalidating a limitation on speech about nuclear power). We have stated that “[i]f the marketplace of ideas is to remain free and open, governments must not be allowed to choose ‘which issues are worth discussing or debating.’” *Id.*, at 537–538 (quoting *Police Dept. of Chicago v. Mosley*, 408 U. S. 92, 96 (1972)). And we have recognized that such subject-matter restrictions, even though viewpoint-neutral on their face, may “suggest[] an attempt to give one side of a debatable public question an advantage in expressing its views to the people.” *First Nat. Bank of Boston v. Bellotti*, 435 U. S. 765, 785 (1978); accord, *ante*, at 1 (ALITO, J., concurring) (limiting all speech on one topic “favors those who do not want to disturb the status quo”). Subject-matter regulation, in other words, may have the intent or effect of favoring some ideas over others. When that is realistically possible—when the restriction “raises the specter that the Government may effectively drive certain ideas or viewpoints from the marketplace”—we insist that the law pass the most demanding constitutional test. *R. A. V.*, 505 U. S., at 387 (quoting *Simon & Schuster, Inc. v. Members of N. Y. State Crime Victims Bd.*, 502 U. S. 105, 116 (1991)).

But when that is not realistically possible, we may do well to relax our guard so that “entirely reasonable” laws imperiled by strict scrutiny can survive. *Ante*, at 14. This point is by no means new. Our concern with content-based regulation arises from the fear that the government will skew the public’s debate of ideas—so when “that risk is inconsequential, . . . strict scrutiny is unwarranted.” *Davenport*, 551 U. S., at 188; see *R. A. V.*, 505 U. S., at 388 (approving certain content-based distinctions when there is “no significant danger of idea or viewpoint discrimination”). To do its intended work, of course, the category of content-based regulation triggering strict scrutiny must

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sweep more broadly than the actual harm; that category exists to create a buffer zone guaranteeing that the government cannot favor or disfavor certain viewpoints. But that buffer zone need not extend forever. We can administer our content-regulation doctrine with a dose of common sense, so as to leave standing laws that in no way implicate its intended function.

And indeed we have done just that: Our cases have been far less rigid than the majority admits in applying strict scrutiny to facially content-based laws—including in cases just like this one. See *Davenport*, 551 U. S., at 188 (noting that “we have identified numerous situations in which [the] risk” attached to content-based laws is “attenuated”). In *Members of City Council of Los Angeles v. Taxpayers for Vincent*, 466 U. S. 789 (1984), the Court declined to apply strict scrutiny to a municipal ordinance that exempted address numbers and markers commemorating “historical, cultural, or artistic event[s]” from a generally applicable limit on sidewalk signs. *Id.*, at 792, n. 1 (listing exemptions); see *id.*, at 804–810 (upholding ordinance under intermediate scrutiny). After all, we explained, the law’s enactment and enforcement revealed “not even a hint of bias or censorship.” *Id.*, at 804; see also *Renton v. Playtime Theatres, Inc.*, 475 U. S. 41, 48 (1986) (applying intermediate scrutiny to a zoning law that facially distinguished among movie theaters based on content because it was “designed to prevent crime, protect the city’s retail trade, [and] maintain property values . . . , not to suppress the expression of unpopular views”). And another decision involving a similar law provides an alternative model. In *City of Ladue v. Gilleo*, 512 U. S. 43 (1994), the Court assumed *arguendo* that a sign ordinance’s exceptions for address signs, safety signs, and for-sale signs in residential areas did not trigger strict scrutiny. See *id.*, at 46–47, and n. 6 (listing exemptions); *id.*, at 53 (noting this assumption). We did not need to, and so did not, decide the

KAGAN, J., concurring in judgment

level-of-scrutiny question because the law's breadth made it unconstitutional under any standard.

The majority could easily have taken *Ladue's* tack here. The Town of Gilbert's defense of its sign ordinance—most notably, the law's distinctions between directional signs and others—does not pass strict scrutiny, or intermediate scrutiny, or even the laugh test. See *ante*, at 14–15 (discussing those distinctions). The Town, for example, provides no reason at all for prohibiting more than four directional signs on a property while placing no limits on the number of other types of signs. See Gilbert, Ariz., Land Development Code, ch. I, §§4.402(J), (P)(2) (2014). Similarly, the Town offers no coherent justification for restricting the size of directional signs to 6 square feet while allowing other signs to reach 20 square feet. See §§4.402(J), (P)(1). The best the Town could come up with at oral argument was that directional signs “need to be smaller because they need to guide travelers along a route.” Tr. of Oral Arg. 40. Why exactly a smaller sign better helps travelers get to where they are going is left a mystery. The absence of any sensible basis for these and other distinctions dooms the Town's ordinance under even the intermediate scrutiny that the Court typically applies to “time, place, or manner” speech regulations. Accordingly, there is no need to decide in this case whether strict scrutiny applies to every sign ordinance in every town across this country containing a subject-matter exemption.

I suspect this Court and others will regret the majority's insistence today on answering that question in the affirmative. As the years go by, courts will discover that thousands of towns have such ordinances, many of them “entirely reasonable.” *Ante*, at 14. And as the challenges to them mount, courts will have to invalidate one after the other. (This Court may soon find itself a veritable Supreme Board of Sign Review.) And courts will strike down those democratically enacted local laws even though no

KAGAN, J., concurring in judgment

one—certainly not the majority—has ever explained why the vindication of First Amendment values requires that result. Because I see no reason why such an easy case calls for us to cast a constitutional pall on reasonable regulations quite unlike the law before us, I concur only in the judgment.

TOWN OF MORRISON
BOARD OF TRUSTEES REGULAR MEETING
March 1, 2016
Board Action Form

1. SUBJECT: Morrison Holiday Bar – Application for a Modification of Premises.

PROCEDURE: Review the Modification of Premises and approve, approve with conditions or deny.

TOWN ATTORNEY REVIEW: YES NO

MOTION:

1. Motion to approve the Modification of Premises.
2. Motion to approve the Modification of Premises with conditions.
3. Motion to deny the Modification of Premises.

PERMIT APPLICATION AND REPORT OF CHANGES

CURRENT LICENSE NUMBER _____
ALL ANSWERS MUST BE PRINTED IN BLACK INK OR TYPEWRITTEN
LOCAL LICENSE FEE \$ _____
APPLICANT SHOULD OBTAIN A COLORADO LIQUOR & BEER CODE BOOK TO ORDER CALL (303) 370-2165

1. Applicant is a		PRESENT LICENSE NUMBER
<input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company		
2. Name of Licensee DYK INC	3. Trade Name dba MORRISON HOLIDAY BAR	
4. Location Address 403 BEAR CREEK AVE		
City MORRISON	County JEFFERSON	ZIP 80465

SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.

Section A – Manager reg/change	Section C
• License Account No. _____ 1983-750 (999) <input type="checkbox"/> Manager's Registration (Hotel & Restr.)..\$75.00 2012-750 (999) <input type="checkbox"/> Manager's Registration (Tavern).....\$75.00 <input type="checkbox"/> Change of Manager (Other Licenses) NO FEE	2210-100 (999) <input type="checkbox"/> Retail Warehouse Storage Permit (ea) \$100.00 2200-100 (999) <input type="checkbox"/> Wholesale Branch House Permit (ea).... 100.00 2260-100 (999) <input type="checkbox"/> Change Corp. or Trade Name Permit (ea) .50.00 2230-100 (999) <input type="checkbox"/> Change Location Permit (ea)..... 150.00 2280-100 (999) <input checked="" type="checkbox"/> Change, Alter or Modify Premises \$150.00 x <u>1</u> Total Fee <u>150</u>
Section B – Duplicate License	
• Liquor License No. _____ 2270-100 (999) <input type="checkbox"/> Duplicate License\$50.00	2220-100 (999) <input type="checkbox"/> Addition of Optional Premises to Existing H/R \$100.00 x _____ Total Fee _____ 1988-100 (999) <input type="checkbox"/> Addition of Related Facility to Resort Complex \$75.00 x _____ Total Fee _____

DO NOT WRITE IN THIS SPACE – FOR DEPARTMENT OF REVENUE USE ONLY

DATE LICENSE ISSUED	LICENSE ACCOUNT NUMBER	PERIOD
-750 (999)	-100 (999)	The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.
TOTAL AMOUNT DUE		\$.00

INSTRUCTION SHEET

FOR ALL SECTIONS, COMPLETE QUESTIONS 1-4 LOCATED ON PAGE 1

Section A

To Register or Change Managers, check the appropriate box in section A and complete question 8 on page 4. Proceed to the Oath of Applicant for signature (Please note: Hotel, Restaurant, and Tavern licensees are required to register their managers).

Section B

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 4 for Oath of Applicant signature.

Section C

Check the appropriate box in section C and proceed below.

- 1) *For a Retail Warehouse Storage Permit*, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 2) *For a Wholesale Branch House Permit*, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 3) *To Change Trade Name or Corporation Name*, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 4) *To modify Premise*, go to page 4 and complete question 9. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 5) *For Optional Premises or Related Facilities* go to page 4 and complete question 9. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 6) *To Change Location*, go to page 3 and complete question 7. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.

STORAGE PERMIT

5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit

- Retail Warehouse Permit for:
 - On-Premises Licensee (Taverns, Restaurants etc.)
 - Off-Premises Licensee (Liquor stores)
- Wholesalers Branch House Permit

Address of storage premise: _____
 City _____, County _____, Zip _____

Attach a deed/ lease or rental agreement for the storage premises.
 Attach a detailed diagram of the storage premises.

CHANGE TRADE NAME OR CORPORATE NAME

6. Change of Trade Name or Corporation Name

- Change of Trade name / DBA only
- Corporate Name Change (Attach the following supporting documents)
 1. Certificate of Amendment filed with the Secretary of State, or
 2. Statement of Change filed with the Secretary of State, and
 3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement.

Old Trade Name	New Trade Name
Old Corporate Name	New Corporate Name

CHANGE OF LOCATION

7. Change of Location

NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 12-47-311 (1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held.

Date filed with Local Authority _____ Date of Hearing _____

(a) Address of current premises _____

City _____ County _____ Zip _____

(b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee)

Address _____

City _____ County _____ Zip _____

(c) New mailing address if applicable.

Address _____

City _____ County _____ State _____ Zip _____

(d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.

CHANGE OF MANAGER

8. Change of Manager or to Register the Manager of a Tavern or a Hotel and Restaurant liquor license.

(a) Change of Manager (attach Individual History DR 8404-I H/R and Tavern only)

Former manager's name _____

New manager's name _____

(b) Date of Employment _____

Has manager ever managed a liquor licensed establishment?..... Yes No

Does manager have a financial interest in any other liquor licensed establishment?..... Yes No

If yes, give name and location of establishment _____

MODIFY PREMISES OR ADDITION OF OPTIONAL PREMISES OR RELATED FACILITY

9. Modification of Premises, Addition of an Optional Premises, or Addition of Related Facility

NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities.

(a) Describe change proposed Addition of 1500sqft roof deck patio over rear of the bar

(b) If the modification is temporary, when will the proposed change:

Start _____ (mo/day/year) End _____ (mo/day/year)

NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00

(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?

(If yes, explain in detail and describe any exemptions that apply) Yes No

(d) Is the proposed change in compliance with local building and zoning laws?..... Yes No

(e) If this modification is for an additional Hotel and Restaurant Optional Premises or Resort Complex Related Facility, has the local authority authorized by resolution or ordinance the issuance of optional premises?

..... Yes No

(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.

(g) Attach any existing lease that is revised due to the modification.

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature 	Title <u>President</u>	Date <u>2/12/16</u>
--	---------------------------	------------------------

REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY / COUNTY)

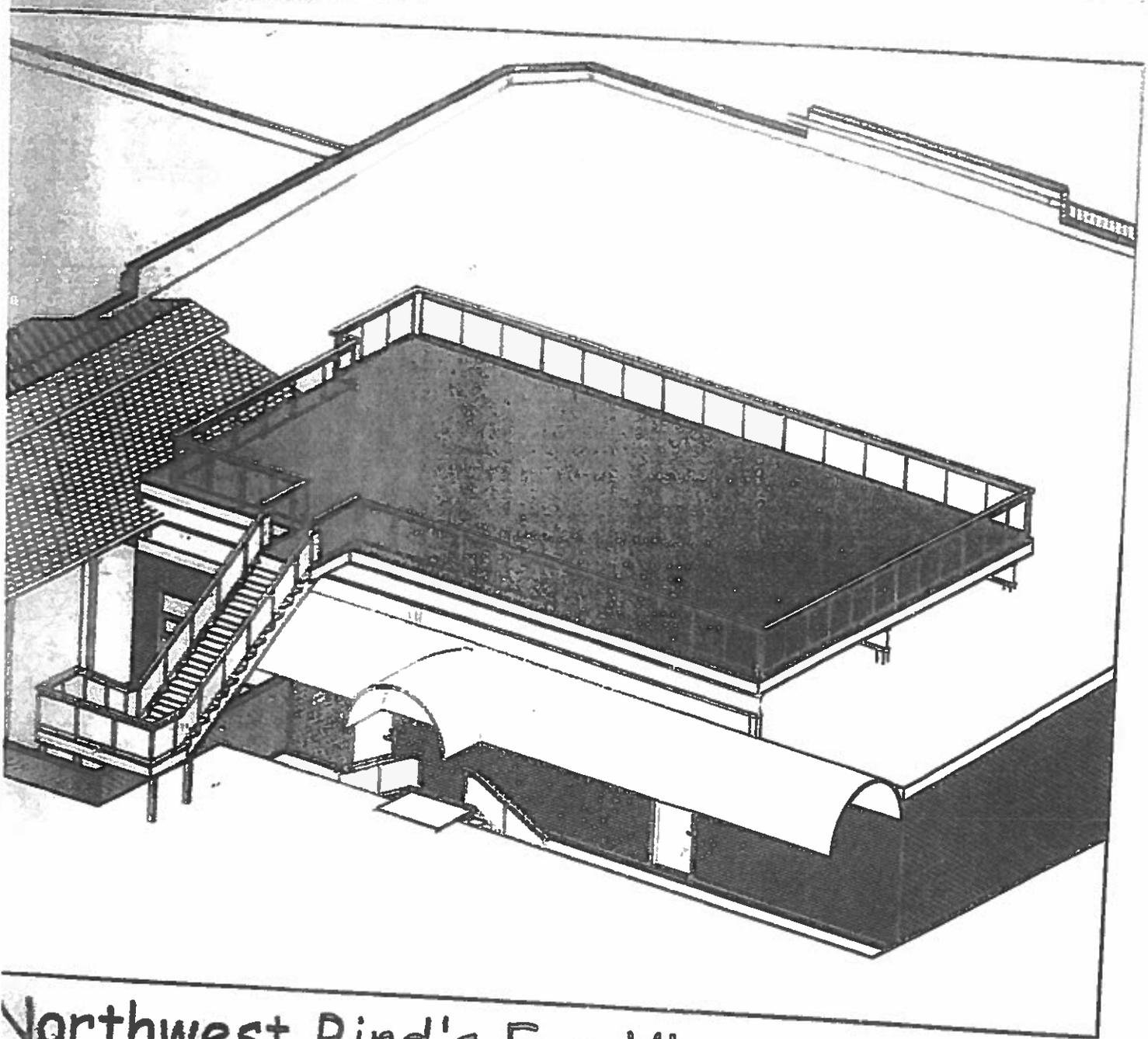
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 12, Articles 46 and 47, C.R.S., as amended. **THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority (City or County)	Date filed with Local Authority	
Signature	Title	Date

REPORT OF STATE LICENSING AUTHORITY

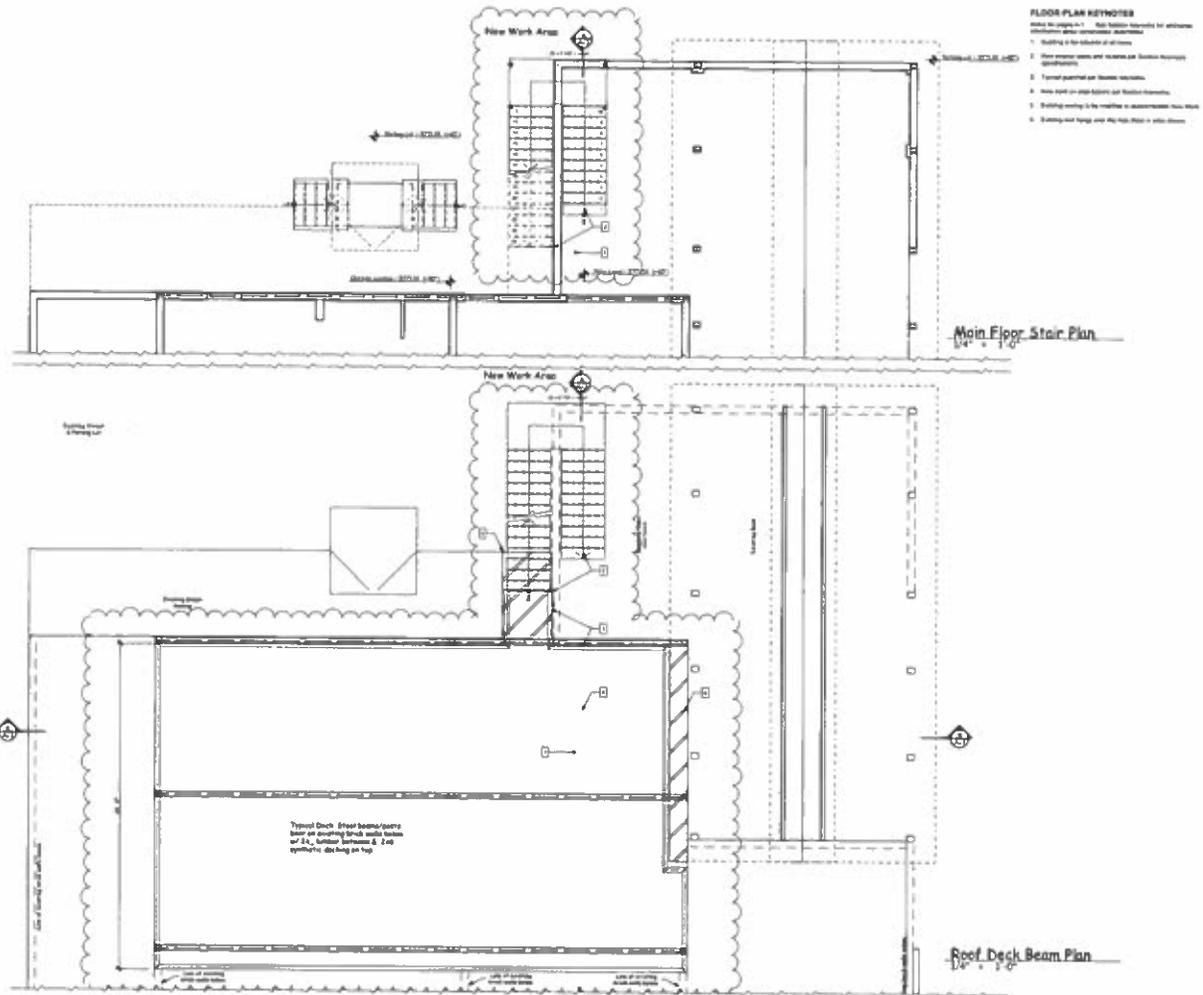
The foregoing has been examined and complies with the filing requirements of Title 12, Article 47, C.R.S., as amended.

Signature	Title	Date
-----------	-------	------



Northwest Bird's Eye View





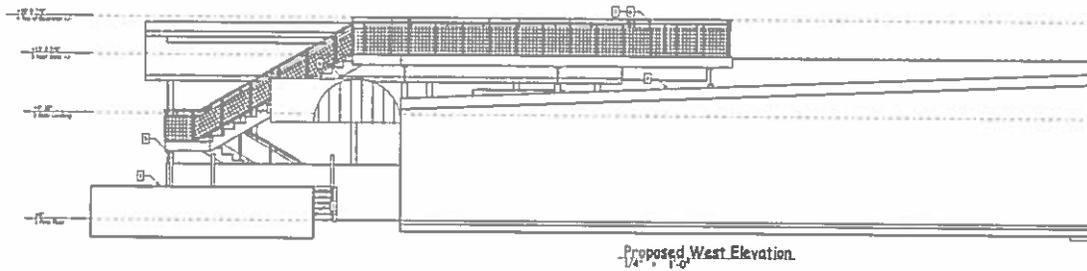
© Copyright 2013
 Earth and Sky
 Architecture, LLC
 1000 North 10th Street, Suite 100, Morrisson, VA 24454
 703-888-8888
 earthandsky.com

Morrison Holiday Bar
 403 Highway 74
 Morrison, VA 24465

Project #: U-21
 Drawn By:
 Paul Adams
 Checked By:
 Paul Adams
 Issue For:
 Construction
 Issue Date:
 11/20/13

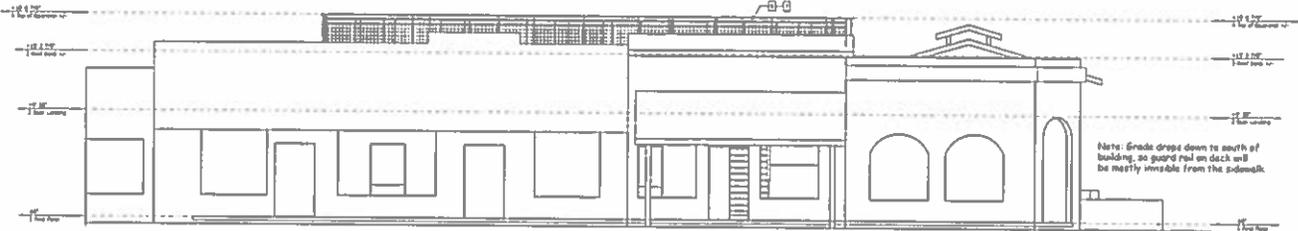
**Main Floor &
 Roof Deck
 New Work
 Plans**

A-1



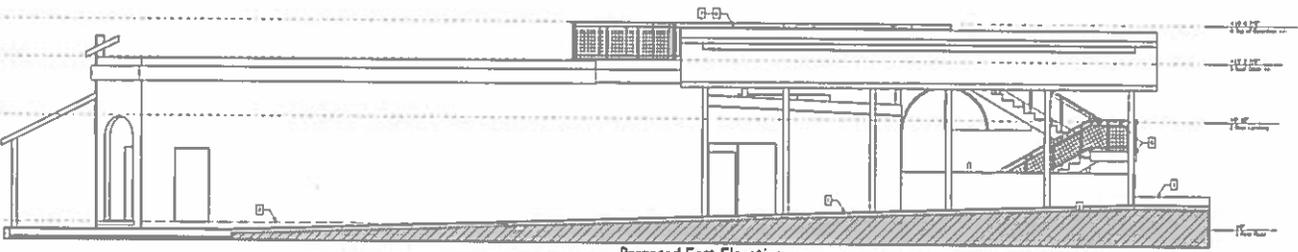
- ELEVATION KEYNOTED**
- Notes for pages A2 & A-3 See Section Elevation for wall/ceiling construction details and window specifications.
1. Approximate line of finish grade
 2. Line of floor for minimum of 2" concrete, see below for details
 3. Line of existing existing wall
 4. Existing masonry wall to be repaired for strength and any exterior repairs indicated prior to replacement of masonry and roof
 5. New steel framing and exterior wall finish indicated
 6. Typical gable roof and finish indicated
 7. All exterior finishes shall show where horizontal/vertical to be proper detail to match existing work and note
 8. Location where steel framing existing masonry to be repaired or replaced - see Section Elevation
 9. Exterior light fixture - Owner to specify. Coordinate as noted

Proposed West Elevation
1/4" = 1'-0"



Note: Grade drops down to south of building, so guard rail on deck will be mostly invisible from the sidewalk.

Proposed South Elevation
1/4" = 1'-0"



Proposed East Elevation
1/4" = 1'-0"

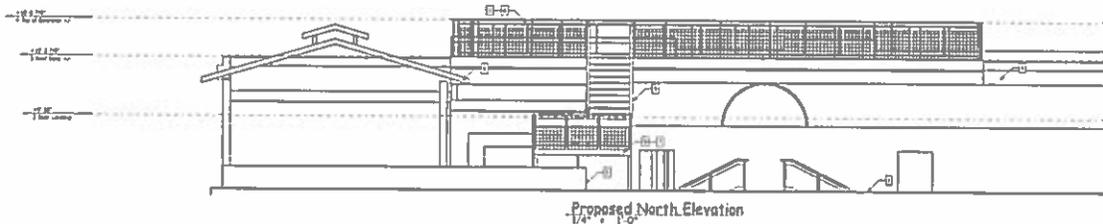
© Copyright 2013
Earth and Sky
Architecture, LLC
403 Highway 74
Morrison, USA 80465

Morrison Holiday Bar
403 Highway 74
Morrison, USA 80465

Project #: 12-21
Drawn By:
Paul Adams
Checked By:
Paul Adams
Issue # 1
Construction
Issue Date:
2.10.16
Revision:

West
South
& East
Elevations

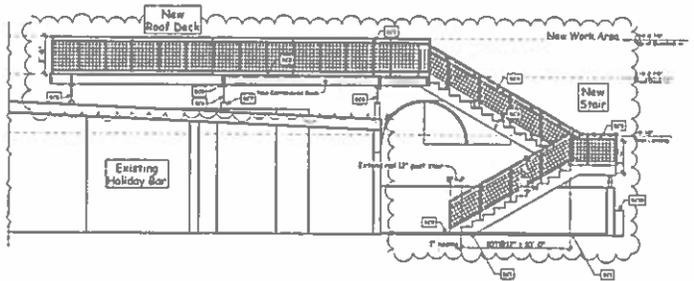
A-2



Proposed North Elevation
1/4" = 1'-0"

ELEVATION KEYNOTES

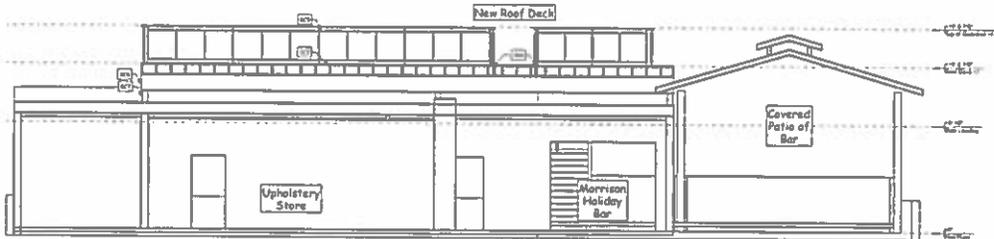
- Notes for pages A-2 & A-3. See Section Keynotes for additional information and details. All dimensions are in feet and inches unless otherwise noted.
1. Line of roof for reference. All measurements are taken from this line.
 2. Line of existing masonry wall.
 3. Existing masonry wall to be replaced by concrete and any masonry walls remaining are to be repaired. All masonry walls are to be finished with 1/2" thick concrete.
 4. New masonry walls are to be finished with 1/2" thick concrete.
 5. 7/8" thick concrete per Section Keynotes.
 6. All masonry walls shall have a minimum thickness of 12" and shall be finished with 1/2" thick concrete.
 7. Location of new masonry walls shall be as shown. Existing masonry walls are to be removed. See Section Keynotes for details.
 8. Existing masonry walls are to be removed. See Section Keynotes for details.



A Deck & Stairs
1/4" = 1'-0"

SECTION KEYNOTES

- Notes for pages A-1, A-2 & A-3. See Elevation Keynotes for additional information and details. All dimensions are in feet and inches unless otherwise noted.
- A-01. Existing masonry walls are to be removed. See Section Keynotes for details.
 - A-02. Existing masonry walls are to be removed. See Section Keynotes for details.
 - A-03. Existing masonry walls are to be removed. See Section Keynotes for details.
 - A-04. Existing masonry walls are to be removed. See Section Keynotes for details.
 - A-05. Existing masonry walls are to be removed. See Section Keynotes for details.
 - A-06. Existing masonry walls are to be removed. See Section Keynotes for details.
 - A-07. Existing masonry walls are to be removed. See Section Keynotes for details.
 - A-08. Existing masonry walls are to be removed. See Section Keynotes for details.
 - A-09. Existing masonry walls are to be removed. See Section Keynotes for details.
 - A-10. Existing masonry walls are to be removed. See Section Keynotes for details.
 - A-11. Existing masonry walls are to be removed. See Section Keynotes for details.



B East-West
1/4" = 1'-0"

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Architecture, LLC
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**Earth and Sky
Architecture, LLC**

Morrison Holiday Bar
403 Highway 74
Morrison, USA 60465

Project # 12-21
Drawn By
Checked By
Issue For
Construction
Sheet Date
2/10/16

North
Elevation,
Section A &
Section B

A-3

Mayor and Board of Trustees:

The Morrison Police Department Report for February, 2016.

1. The Lieutenant and I attended the 40 hour in-service training program with the Jefferson County Sheriff's Office which applies to our yearly POST requirements.
2. I had one officer attend the funeral of the fallen officer from Mesa County Sheriff's Office in Grand Junction, Colorado, representing the Morrison Police Department.
3. Lt. Joiner was asked to assist/join Jefferson County Motorcycle Officers with transport of fallen Park County Deputy's body from the coroner's office back to Bailey, Colorado.
4. Crimes/calls for service handled by Morrison Police Officers in **February, 2016.**
 - **Six Vehicle Accidents Investigated/Reported by Morrison Police Officers:** NB Hwy 285 @ mm248 – Single vehicle/deer accident (major damage, no injuries); EB C470 @ Morrison Rd – Three vehicle non-injury accident (3 vehicles traveling EB, vehicle #2 stopped in traffic, vehicle #1 struck him from behind causing him to rear end vehicle #3); NB Hwy 285 @ mm247 – Single vehicle injury accident (female fell asleep at the wheel & struck center concrete barrier, transported to hospital); 408 Bear Creek Ave – Hit & Run Accident (hit & run vehicle backing out of parking space on street struck vehicle #2 and left scene without leaving required information); WB C470 @ mm4 – Two vehicle injury accident (both vehicles traveling WB when vehicle #1 lost control and struck median, bouncing off and into vehicle #2).
 - **No Stolen Vehicles in February:**
 - **Twenty-One Motorist Assists:** NB Hwy 285 @ Parmalee Gulch – Vehicle overheated waiting for cool down (no assistance needed); 800 Bear Creek Ave – Taxi stuck in snow (pushed out, drove away); NB Hwy 285 @ mm248 – Disabled vehicle in snow (QBV-292) tow en route; WB C470 @ Morrison Rd – Assist motorist (CO 410-ZCG) change flat tire; Hwy 285 @ SB Exit Ramp to Hwy 8 – Motorist given directions to Denver; WB C470 @ mm3 – Disabled vehicle (QPR-317) courtesy ride to Conoco; WB C470 @ Morrison Rd – Disabled RTD Bus (out of traffic, tow en route); SB Hwy 285 @ mm247.5 – Vehicle (CO 037-NFC) overheating (tow en route); SB Hwy 285 @ mm247.5 – Vehicle (CO 865-ZQK) overheating waiting for cool down; 16283 Morrison Rd (Conoco) – Assist female motorist (CO 686-EQH) locked out of vehicle (successful); SB Hwy 285 @ mm247 – Assist female motorist (CO 017-VXB) change flat tire; EB C470 @ Morrison Rd – Unoccupied Vehicle (checked OK, red tagged by CSP); Hwy 74 @ mm18 – Assist motorist (CO 179-QTJ) with dead battery (jump started); EB C470 off-ramp to Morrison Rd – Disabled vehicle (OH GHY-6228) pushed to shoulder (help en route); SB Hwy 285 @ mm247.5 – Motorist (CO 171-QNT) out of gas (friend en route with gas); NB Hwy 285 @ mm247 – Motorist hit pot hole (flattened two tires, called for tow); 101 Stone St – Assist motorist locked out of vehicle; NB Hwy 285 @ Parmalee Gulch Rd – Vehicle safely off road (no assistance required); NB Hwy 285 @ mm248 – Vehicle (QLK-770) with flat tires (tow en route); SB Hwy 285 @ mm247 – Assist motorist (CO 396716P) having problems driving in bad

weather (pulled over to wait for ride); SB Hwy 285 @ Parmalee Gulch Rd – Traffic control for Semi-truck (CO 869-ZRU) in roadway fixing chains.

- **Two Welfare Checks in February:** 16283 Morrison Rd (Conoco) – Employee at Conoco called about a possible DUI pumping gas (female stopped immediately and failed breath test, released to sober party, no probable cause to arrest); Morrison Park – Male slumped over steering wheel (CO 487-XDO) woken up and moved on.
- **Eight Citizen/Business Issues/Assistance:** 111 Red Rocks Vista Dr – Residential alarm (checked OK); 308 Bear Creek Ave (Bradley's gas station) – Call on suspicious male (checked OK, family issues); 110 Stone St (Town Hall) – Open door (yoga instructor cleaning up after class); 121 Stone St (Cliff House Lodge) – Call on male trespassing (found in a room, left while manager was calling police, unable to locate); 319 Bear Creek Ave (Car Works) – Report for identity theft/fraud (unknown party attempting to open accounts in several states, ongoing investigation); 161 Spring St – Father/son disturbance (advised & settled); 16283 Morrison Rd (Conoco) – Theft of iPhone report; 153 Spring St – Vacation checks.
- **One Animal Issues:** 200 Blk Red Rocks Vista Dr – Neighbor/neighbor dog issue (advised & settled).
- **Eighteen Assist Other Agencies: Colorado State Patrol (9):** SB Hwy 285 @ Hwy 8 – Traffic control for single vehicle accident (vehicle partially in traffic); WB C470 @ mm3.5 – Traffic control for two vehicle non-injury accident (one vehicle ran off roadway); WB C470 @ mm3 – Secured scene of single vehicle non-injury accident until CSP arrived; EB C470 @ Alameda Pkwy – BOLO for hit & run vehicle (staged at Morrison Rd & C470, UTL); C470 @ Morrison Rd – Traffic control for single vehicle non-injury accident; SB Hwy 285 @ Hwy 8 – Truck with dead battery stopped in middle of road (pushed to shoulder & started with jumper cables); EB C470 @ Morrison Rd – Report of school bus driver cutting off head of deer (dead deer intact, moved to shoulder); NB Hwy 285 @ mm246.5 – Dispatched on call of a motorist following DUI suspect (female drove off road getting stuck in snow packed shoulder, held for CSP); EB C470 @ mm3 – Single vehicle non-injury accident (secured scene & wait for CSP). **Jefferson County Sheriff's Office: (5):** SB Hwy 285 between Hwy 8 & N Turkey Creek Rd – Traffic control for Jeffco Unit clearing road of hazard/rocks (02/02/2016); Red Rocks Amphitheatre – BOLO on suicidal party (located inside park, released by Jeffco); Red Rocks Amphitheatre – BOLO on suspicious vehicle leaving park (UTL); Hwy 285 @ Parmalee Gulch Rd – Cover Jeffco for removal of rocks from roadway (02/10/2016); Bear Creek Ave @ Mt Vernon Rd – Morrison Officer flagged down by citizen to report harassment (occurred in Jefferson Co, referred to Jeffco & advised dispatch). **West Metro Fire (4):** 110 Stone St – Intoxicated male outside Town Hall to St Anthony's; 18131 Hwy 8 (Aggregate Industries) – Utility pole on fire (traffic control); 103 Bear Creek Lane – Resident requiring emergency medical attention (transported to St Anthony's); WB C470 off-ramp to Morrison Rd – Student on bus having seizure during rush hour (transported to hospital by WMF).
- **Three DUI/DWAI/Drunk/Detox:** SB Rooney Rd @ Morrison Rd – Stopped Female driving without headlights on (very disoriented, blood alcohol .131 @ JCSO jail); WB C470 @ Morrison Rd – Motorist stopped for speeding (DUI, under aged driver, two other under aged drinkers in

vehicle also); 215 Bear Creek Ave (Tony Rigatoni's) – Two males cut off from drinking inside attempted to drive off (held by owner for MPD, taken to detox).

- **Five Abandoned Vehicles in February:** SB Hwy 285 @ mm247.5 – Vehicle (CO 788-KUN) abandoned on shoulder (02/12/2016, checked OK, 24 hr red tag); SB Hwy 285 @ mm247.5 – Previous abandoned vehicle (CO 788-KUN) towed by MPD (02/13/2016); SB Hwy 285 @ mm247 – Vehicle (CO 504-QBW) cleared, checked OK, 24 hr red tag; EB C470 @ mm4 – Abandoned vehicle (IA 983-XSA) cleared, checked OK, 24 hr red tag, 02/15/2016); EB C470 @ mm4 – Previous abandoned vehicle (IA 983-XSA) towed by MPD (02/17/2016).
- **Three Debris/Traffic Hazards:** WB C470 @ mm3 – Removed refrigerator from roadway onto the shoulder; WB C470 @ Morrison Rd – Remove mattress from roadway; WB C470 @ Morrison Rd – Removed large piece of plastic from #1 lane.
- **Three Suspicious Vehicles:** Mt Falcon Park – Motorist (CO 835-YFM) advised of park hours (left without incident); 308 Bear Creek Ave (Bradley Gas Station) – Motorist (CO 526-TTQ) driving slowly looking into stores (cleared, left without incident); 905 Bear Creek Ave (Chapel @ Red Rocks) – Parked vehicle (CO 775-ZHP) checked OK, all clear.
- **Two Nursing Home Call (150 Spring St):** Male resident complains that staff is mistreating him (staff had ongoing problems with this resident, moved to another facility); Female resident complaint of Unlawful Sexual Contact by female nurse (investigation disclosed complaint unfounded).
- **Ten Miscellaneous Incidents:** WB Hwy 74 @ mm18 – Routine traffic stop for speeding results in summons issued for driving without a valid driver's license; WB C470 @ Morrison Rd – Routine traffic stop for speeding results in summons issued for driving with a suspended driver's license (excessive points); EB C470 @ mm4 - Routine traffic stop for speeding results in summons issued for driving with a suspended driver's license (license suspended in Florida); SB Hwy 285 @ mm247.5 – Routine traffic stop for speeding results in arrest for driving with a revoked driver's license & a Denver warrant (Theft, refusal of road sides & speeding tickets); SB Hwy 285 @ mm248 – Dispatched to disturbance on school bus led to arrest of male student on a warrant (Lakewood warrant for FTA, criminal mischief); SB Hwy 285 @ mm247.5 – Routine traffic stop for speeding results in summons issued for driving while under suspension (insurance termination); WB Hwy 74 @ mm18 – Routine traffic stop for speeding results in summons issued for driving with a denied driver's license; EB Hwy 74 @ mm18 – Routine traffic stop for speeding results in summons issued for driving without a valid driver's license; EB Hwy 74 @ Bear Creek Ave – Routine traffic stop for speeding results in summons issued for driving without a valid driver's license (had a CO ID only); WB Hwy 74 @ mm18 – Routine traffic stop for speeding disclosed infant child in back seat not properly restrained (father of child responded with proper infant car seat, driver cited for speeding & failure to properly secure child in vehicle).

5. There were 15 dispatched calls in which Morrison Police Officers were unable to locate the subject of the call or the incident such as: Allied Van with smoking brakes, slipping/sliding vehicle, single vehicle accident, stuck vehicle, rock slide, welfare check of gold Ford Escape, road rage, suspicious

party, traffic hazards, suspicious vehicle, careless driver, reckless driver and a rolling domestic incident.

6. Jennifer will answer approximately 280 phone calls and assist 35 walk-ins to the police building in February, 2016.

7. Morrison Police Officers will issue approximately 650 traffic citations, give 60 warnings and no parking tickets in February, 2016.

Thank you all for your continued support,

Rudy Sandoval, Chief of Police
Morrison Police Department
(303) 697-4810
chief@police.town.morrison.co.us

To: Mayor and Board of Trustees

From: Matthew T. Mossbrucker, Director, MNHM

Subject: Monthly Report - January/February 2016

Date: February 26, 2015

The Museum is off to a good start in 2016. Revenue and visitation are up, and the museum is busy training new and existing volunteers to assist in various aspects of visitor services. I anticipate serving near seventeen thousand visitors here over the course of the year.

Visitation & Revenue

Over \$10,000 has been raised in tickets and gift shop sales during from January to the date of this report. We anticipated four to five thousand dollars in revenue in January, and raised over \$5,700.

Gift shop sales total \$2,937 (gross, after tax) year to date. This is a 9.3% increase over the same period last year.

By the end of the 2015, the Museum has had served 15,204 visitors, thirty-nine percent were tourists from outside of Colorado. Overall, this is a ten percent increase over 2014. We have not yet compiled current visitor data, but anecdotal evidence suggests a gentle increase in walk-in visitation over last year.

Don't forget to follow along with our media campaign on our Facebook (link on MNHM.org) and Twitter (@MorrisonMuseum) accounts.

Behind the Scenes

Outside of the four future outreach opportunities, which are still being planned, the Museum Foundation is planning a second fundraiser breakfast to be held on the fifth of March. Electronic invitations went out a couple of weeks ago, and the Board was invited. The event is being sponsored by the Wine Country Inn of Palisade and the Dino Hotel of Lakewood with the funding to go to exhibit acquisitions.

Demolition on the old balcony/handicapped access walkway has been completed. Work has not yet begun to replace the walkway, and a start date has not been established. Zuni Sign Company has retrieved the building sign for refurbishment, thanks again to the Museum Foundation for funding this project.

Our new formalized training program for volunteers has been well-received by new and existing volunteers. I am teaching a thirteen-week seminar about local life history and a two-session fossil preparation workshop while Doug is covering a trio of volunteer orientations that are offered twice monthly. Again, this effort will not just better train interpreters, but help to to retain existing volunteers. The ultimate goal of this effort is to provide museum visitors with an unparalleled museum experience.

We are on track for the installation of the long-awaited trail signs by this spring.

We are making progress with our collections inventory and customizing the new curation software. This process will likely take most of 2016.

We will be offering fossil-themed day camps for older children in 2016, starting this Spring. This will be an additional source of revenue.

The 2015 grant report was completed early and submitted. A copy was emailed to Kara. Work has started for the application for 2017 funding. This is a time consuming but worthwhile endeavor which should raise around \$25,000 to operate the museum.

UTILITY DEPARTMENT

60

WATER

- The MCC (Master Control Center) replacement at the water plant is on schedule and the project should be underway in the next couple of weeks. This will be a huge improvement in the safety and operation of the plant.
- Mid-March we will be presenting our case for the DOLA grant. We will demonstrate why we need the \$200k grant funds, and show why the Town of Morrison will be a good recipient of the funds. We are hoping for the grant to fund our clear well project. A clear well is essential to the town's growing water usage.

WASTEWATER

- As some of you may already know, I'm disappointed to report that the MABR (Membrane Aerated Biofilm Reactor) pilot system that was set to go in has been canceled due to no fault of our own. As a result, I will be exploring other alternatives to increase our wastewater treatment capacity.
- I want to congratulate one of our operators; Eric Law for passing his B Wastewater exams! (Not Easy)
- Wastewater treatment has been running well, and exceeding expectations. We are discharging a phosphorous 0.05 MG/L residual, in addition to extremely low ammonia residuals. *This is really good.

BCWA

- The segment of Bear Creek in downtown Morrison has been listed for copper. This means that BCWA will need to do some investigative sampling to identify the source of the high copper readings. It's possible that the high levels are coming from Mount Vernon, however additional investigation is required.
- Mid-February we received notice from a pedestrian reporting "brown scum" in Bear Creek. A collaborative investigation by Morrison, Lakewood and the BCWA determined the source to be from a local restaurant. Although they haven't taken responsibility, further investigation revealed that around that time, the restaurant had contracted Rocky Mountain Fire Protection to clean the stove hoods. It is our speculation that a bucket of grease was left on the roof top, and was blown off by wind, into the creek. We have contacted both the restaurant & Rocky Mt. Fire Protection to explain the ramifications of such carelessness. We are working with them to ensure this doesn't happen again.

- 
- This highlights the importance of a program already in the works! We are in the process of starting a new back-flow prevention and grease trap removal program. This program will require periodic testing, and ensure accountability.

TOWN OF MORRISON
BOARD OF TRUSTEES REGULAR MEETING
March 1, 2016
Board Action Form

SUBJECT: Revised server quote.

PROCEDURE: When going through the details of the new server with Allen Tech it was discovered that we would need to purchase the new SQL Server in order to run the new Caselle software. This was not anticipated in the previous quote and not included in the budget.

Per Paul from Allen Tech - Caselle's performance since our last upgrade is slow in many areas. After an engineering session with Caselle, Kara, and AllenIT they (Caselle) recommends moving to their latest release of software to overcome the slow issues introduced in the last upgrade. This includes building a new, latest revision of SQL Server and a recommendation for a RAID 5 SSD server disk set for speed.

Consideration for the server upgrades by AllenIT and Caselle are as follows:

Server Modifications:

- Server processors with more cores for faster performance
- SSD hard drives for faster performance
- Additional server memory
- Microsoft SQL licensing
- Microsoft SQL Server
- Migrate Caselle to new SQL Server

In addition to the modifications for Caselle these changes allow Town of Morrison additional server growth with less cost associated to this growth.

MOTION: Motion to approve a change in the budgeted amount for computer upgrades, purchasing a server in the amount of \$26,433.22.

Main: 303-670-5900

Email: paul@allenit.com

Web: www.allenit.com



ALLEN
T e c h n o l o g y
A d v i s i n g

2016-01 New Server - BDR

QUOTE #002386 V1

PREPARED FOR

Town of Morrison

PREPARED BY

Paul Miller

Main: 303-670-5900
 Email: paul@allenit.com
 Web: www.allenit.com

prior quote



Backup Disaster Recover (BDR)	*Optional	Price	Qty	Ext. Price
HP ProLiant DL380p Gen8 - Server - rack-mountable - 2U - 2-way - SAS - hot-swap 2.5" - Matrox G200 Second Computer to setup software for either heartbeat or Virtualbox quick server up time in case of disaster. Backup Disaster Recovery (BDR) HP ProLiant DL380p Gen8 - Server - rack-mountable - 2U - SAS - hot-swap 2.5" - Matrox G200 HPQ E5-2650V2 2.6GHz-20MB DL380P G8 FIO HPQ E5-2650V2 2.6GHz-20MB 8C DL380P G8 HPQ 16GB 2RX4 PC3L-12800R-11 KIT QTY-4 HPQ ETHERNET 1GBE 4P 331FLR FIO ADPTR HPQ 512MB FBWC SMART ARRAY P-SERIES RAID 1/5 HPQ 300GB 10K 6G SAS SFF 2.5IN HDD QTY-2 HPQ 600GB 10K 6G SAS SFF 2.5IN HDD QTY-4 HPQ 460W CS HE HS POWER SUPPLY QTY-2 HPQ 1.83M PWR CORD 110V C13-5-15 10A QTY-2 HPQ 2U SMALL FORM FACTOR EASY INSTALL RAILS		\$8,986.80	1*	\$8,986.80
Microsoft Windows Server 2012 R2 Standard - Lic... Microsoft Windows Server 2012 R2 Standard - License - 2 processors - MOLP: Open Business		\$1,014.00	1*	\$1,014.00
*Optional Amount:				\$10,000.80

Backup Disaster Recover (BDR) Labor	*Optional	Price	Qty	Ext. Price
ATA Tier 3 Senior Consultant Setup, configure and install new server Move virtual servers to newphysical server Re-build existing server with Server 2012R2 Setup back-up feed to re-built server Test NOTE: May increase agreement due to licencing		\$180.00	24	\$4,320.00
*Optional Amount:				\$4,320.00

Main: 303-670-5900
 Email: paul@allenit.com
 Web: www.allenit.com



Hardware	*Optional	Price	Qty	Ext. Price
HP Rack Mounted Server Quality for Caselle HP ProLiant DL360p Gen9 - Server - rack-mountable - 1U - 2-way - RAM 0 MB - SAS - hot-swap 2.5" - no HDD - Matrox G200 HPQ E5-2630V3 2.4GHz-20MB 8C DL360 G9 HPQ E5-2630V3 2.4GHz-20MB 8C DL360 G9 HPQ 16GB (1X16GB) 2RX4 PC4-2133P-R MEM QTY-8 HPQ RAID 1/5 HPQ 300GB 10K 6G SAS SFF 2.5IN HDD QTY-2 HPQ 800GB 6G SATA VE 2.5IN SC EV M1 SSD QTY-4 HPQ SMART ARRAY P440AR/2GB FBWC INT FIO HPQ 800W FLEX SLOT PLATINUM HS POWER SUP QTY-2 HPQ 1.83M PWR CORD 110V C13-5-15 10A QTY-2 HPQ 1U SFF EASY INST RAIL KIT HPQ ILO ADVANCE W/ 3YR 24X7 TS SVR LIC		\$14,765.56	1	\$14,765.56
HPQ 3YR 24X7 DL360 GEN9 FOUNDATION CAREPACK HPQ 3YR 24X7 DL360 GEN9 FOUNDATION CAREPACK		\$1,332.22	1*	\$1,332.22
Rack Shelves Server Rack Shelf for Server		\$102.00	1	\$102.00
			*Optional Amount:	\$1,332.22
			Subtotal:	\$14,867.56

Software	Price	Qty	Ext. Price	
Microsoft Windows Server 2012 R2 Standard - Lic... New Server Microsoft Windows Server 2012 R2 Standard - License - 2 processors - MOLP: Open Business	\$754.44	2	\$1,508.88	
Microsoft SQL Server 2014 Standard Microsoft SQL Server 2014 Standard - License - 1 server - local - MOLP	\$765.56	1	\$765.56	
Microsoft SQL Server 2014 - License - 1 user CA... Microsoft SQL Server 2014 - License - 1 user CAL - MOLP: Open Business - Windows	\$191.40	5	\$957.00	
			Subtotal:	\$3,231.44

Shipping	Price	Qty	Ext. Price	
ATA Shipping Shipping and/or Frieght Costs	\$54.22	1	\$54.22	
			Subtotal:	\$54.22

Main: 303-670-5900
Email: paul@allenit.com
Web: www.allenit.com



Services	Price	Qty	Ext. Price
ATA Tier 3 Senior Consultant Setup, configure and install new server Move virtual servers to new physical server Re-build existing server with Server 2012R2 Setup back-up feed to re-built server Test NOTE: May increase agreement due to licencing	\$180.00	24	\$4,320.00
ATA Tier 3 Senior Consultant New SQL Server for Caselle	\$180.00	22	\$3,960.00
Subtotal:			\$8,280.00

Main: 303-670-5900
Email: paul@allenit.com
Web: www.allenit.com



2016-01 New Server - BDR

Quote Information:

Quote #: 002386
Version: 1
Delivery Date: 2016-02-01
Expiration Date: 2016-02-06

Prepared for:

Town of Morrison 321 Colorado Highway 8
Morrison, CO 80465
Kara Zabilansky
kara@town.morrison.co.us
3036978749

Prepared by:



Allen Technology Advising
Paul Miller
303-670-5900
Fax
paul@allenit.com

Quote Summary		Amount
Hardware		\$14,867.56
Software		\$3,231.44
Services		\$8,280.00
Subtotal		\$26,379.00
Shipping		\$54.22
Total		\$26,433.22

*Optional Expenses		Amount
Hardware		\$1,332.22
Optional Subtotal		\$1,332.22

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

Signature

Date

TOWN OF MORRISON
BOARD OF TRUSTEE REGULAR MEETING
March 1, 2016
Board Action Form

SUBJECT: Approval of Consent Agenda

PROCEEDURE: Approve the minutes of February 2, 2016 vouchers and payroll

RECOMMENDATION: Approve the Consent Agenda

TOWN ATTORNEY REVIEW: YES NO

MOTION: Motion to approve the Consent Agenda.

**TOWN OF MORRISON BOARD OF TRUSTEES
MORRISON TOWN HALL, 110 STONE STREET
REGULAR MEETING OF THE BOARD OF TRUSTEES
TUESDAY, FEBRUARY 16, 2016
6:00 P.M. – 9:00 P.M.**

Call to Order. Mayor Sean Forey called the regular Town Board Meeting to order at 6:00 P.M.

Roll Call. Mayor Sean Forey, Trustees Brewster Caesar, Vanessa Angell, Debora Jerome, Allen Williams, Christopher Wolfe and Ronald Metzler were present. A quorum was established.

Staff Present. Gerald Dahl (Town Attorney), Kara Zabilansky (Town Administrator) and Charla Bryant (Town Clerk).

Amendments to the Agenda. Add 7b – Water Study East of Harriman Dam. Remove the Executive Session.

Public to Address the Board. None.

Departmental Reports.

Court. There were no questions or comments.

Police Department. The 2015 year-end report looked good. There were very few nursing home calls.

Attorney. No comments at this time.

Accounting. The accounting report looked good.

Town Administrator. There is a Mt. Carbon meeting tomorrow at 10:00. Zabilansky and Forey will attend. Dahl does not need to be there.

Presentations and Hearings.

IGA With City and County of Denver Regarding Water Supply for Red Rocks Park/Letter of Intent for Acquisition and Installation of Water Supply Facilities for Red Rocks Park RFP for Installation of Pump Station.

Dahl drafted a term sheet and an Intergovernmental Agreement. Discussion was held at the Board meeting of the contents of the Intergovernmental Agreement. There is a water service contract and a contract for the delivery of the pump station and water line.

The Letter of Intent was discussed and the timing of service to Red Rocks. Dahl stated the Town exposure was limited to \$10,000.00. Caesar made a motion to approve the Letter of Intent

between the Town of Morrison, Colorado and the City and County of Denver, Colorado regarding the acquisition and installation of water supply facilities for Red Rocks Park. Angell seconded the motion. All presented voted in favor of the motion.

The City of Denver wants Morrison to install facilities; the pump station, 4" waterline and a 1" water line for toilets at the Red Rock box office. It will be connected to Denver's distribution system at the Park. The Town will maintain all lines. The Town will fill the water tank for fire suppression. Denver will be paying for maintenance costs through monthly billing and will be responsible for infrastructure cost. Denver will also be purchasing 50 water taps and paying the out-of-Town water rate (175% of the in-Town rate) and paying for an additional Utility Department employee. Zabilansky stated the cost for trucking of water needs clarification in the IGA. There may be amendments to the agreement as needed. Caesar made a motion to approve the Intergovernmental Agreement with amendments to §§ 3.07 and 4.02 between the Town of Morrison, Colorado and the City and County of Denver, Colorado regarding water supply for Red Rocks Park. Wolfe seconded the motion. All present voted in favor of the motion.

Glendon stated the schedule is tight. Glendon recommends using a Manager at Risk Contract to hire a general contractor and then do the final design. This would minimize Town exposure. Power lines for the pump station would be underground, the foundation would be set in June and in July the pump station would be installed. Wolfe made a motion to authorize TTG to develop a request for proposals for a Contract Manager at Risk. Williams seconded the motion. All present voted in favor.

Forey stated this was a great effort on the part of the Board, Staff, Attorney and Glendon. Caesar stated Forey was the one who had the foresight to go to Red Rocks.

General Business.

Mount Carbon Wastewater Treatment Facility Operating Expenses. There is a Board meeting tomorrow with Mt. Carbon. Mt. Carbon owes over \$217,000 to the Town and made a payment of \$25,000. Wolfe made a motion to authorize Forey to make a decision about a notice of default at the meeting tomorrow. Jerome seconded the motion. All present voted in favor of the motion.

Water Study – East of Harriman Dam. The Board agreed that a study needs to be done to look at available taps east of the Harriman Dam. The Town needs to know this information. Zabilansky will get the study started.

Consent Agenda. Caesar made a motion to approve the Consent Agenda. Angell seconded the motion. All present voted in favor of the motion.

Board Comments.

Caesar stated there is a \$36,600 electric bill for street lights the Town is not paying because the Town is being billed for lights on C-470. Caesar wants to know if the bill includes

street lights in the Town. Dahl stated if it is in the Town, it should be paid; if it is a State Highway, it should be paid by CDOT. Zabilansky will ask for an itemization from Xcel.

Wolfe stated the projection screen was nice. Caesar stated there was an article in the Denver Post on the development of Dinosaur Ridge. Forey stated three neighborhood meetings were scheduled for the neighbors to meet in Solterra regarding the potential development at Alameda and C470-. Forey will get dates.

Adjournment. The Opening Meeting was adjourned at 7:40 pm.

TOWN OF MORRISON

Sean Forey, Mayor

ATTEST:

Charla D. Bryant, Town Clerk

9c

Report Criteria:

Invoices with totals above \$0.00 included
Only paid invoices included

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
GENERAL FUND							
10-25370	Insurance Payable						
126	Kaiser Permanente	18254791	Insurance	02/10/2016	9,740.49	9,740.49	03/01/2016
	Total				9,740.49	9,740.49	
CAPITAL PROJECTS - GF							
10-40-905	Police Vehicle						
407	Laser Technology Inc	315835	Police repairs	02/23/2016	2,105.00	2,105.00	03/01/2016
10-40-911	Computer Upgrades						
728	Allen Technology Advising Inc.	11299	Equipment	02/10/2016	4,012.57	4,012.57	03/01/2016
	Total CAPITAL PROJECTS - GF				6,117.57	6,117.57	
ADMIN							
10-50-110	EMPLOYEE BENEFITS						
50	Cobrahelp	105014	Monthly Fee	02/17/2016	15.00	15.00	03/01/2016
10-50-200	Outside Services						
694	Mountain Alarm Denver	1123353	panel's	02/05/2016	46.00	46.00	03/01/2016
694	Mountain Alarm Denver	1124065	Alarm signal	02/16/2016	28.50	28.50	03/01/2016
10-50-205	Postage						
90	Fp Mailing Solutions	RI102715643	Postbase	01/26/2016	30.00	30.00	03/01/2016
10-50-210	Printing and Duplication						
252	Xerox Corporation	83231927	MODEL W7845PT	02/01/2016	66.48	66.48	03/01/2016
10-50-225	Travel and Meetings						
127	Kara Zabilansky	0302	employee reimbursement	02/17/2016	10.00	10.00	03/01/2016
127	Kara Zabilansky	0302	mileage	02/17/2016	58.53	58.53	03/01/2016
10-50-300	Accounting Services						
828	Jennifer Bennett	22916	Finance Services	02/26/2016	1,376.58	1,376.58	03/01/2016
10-50-395	Office Supplies						
755	Eldorado Artesian Springs	21022872	Water	02/22/2016	12.63	12.63	03/01/2016
343	Staples Advantage	3293148751	Office supplies	02/09/2016	7.42	7.42	03/01/2016
	Total ADMIN				1,651.14	1,651.14	
BOARD OF TRUSTEES							
10-55-200	Outside Services						
728	Allen Technology Advising Inc.	11299	Cable and Switch	02/10/2016	75.00	75.00	03/01/2016
10-55-385	Marketing/Event Contributions						
29	Beso De Arte	0302	Gift Vouchers	02/25/2016	100.00	100.00	03/01/2016
146	Mill Street Deli	0302	Gift Voucher	03/02/2016	150.00	150.00	03/01/2016
150	Morrison Country Store	0302	Gift Voucher	03/02/2016	50.00	50.00	03/01/2016
151	Morrison Inn	0302	Gift Voucher	03/02/2016	100.00	100.00	03/01/2016
	Total BOARD OF TRUSTEES				475.00	475.00	
ELECTION							
10-65-395	Office Supplies						
106	Hart Intercivic	64298	Elections	02/17/2016	33.80	33.80	03/01/2016
	Total ELECTION				33.80	33.80	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
COURT							
10-70-200 Outside Services							
728	Allen Technology Advising Inc.	11299	Cable and Switch	02/10/2016	75.00	75.00	03/01/2016
59	Colorado Dept Of Revenue - Dmv	0302	Default Clearances	03/02/2016	210.00	210.00	03/01/2016
259	Kelly Services, Inc.	2186435	Temp Agency	01/18/2016	756.40	756.40	03/01/2016
259	Kelly Services, Inc.	6158104	Temp Agency	02/15/2016	756.40	756.40	03/01/2016
10-70-205 Postage							
90	Fp Mailing Solutions	RI102715643	Postbase	01/26/2016	30.00	30.00	03/01/2016
10-70-210 Printing and Duplication							
252	Xerox Corporation	83231927	MODEL W7845PT	02/01/2016	66.47	66.47	03/01/2016
10-70-395 Office Supplies							
343	Staples Advantage	3293148751	Office supplies	02/09/2016	7.43	7.43	03/01/2016
10-70-900 Equipment Purchase							
944	CEIA USA	42218	Court Metal Detector	02/09/2016	3,311.00	3,311.00	03/01/2016
Total COURT:					5,212.70	5,212.70	
POLICE							
10-80-200 Outside Services							
694	Mountain Alarm Denver	1123353	panel's	02/05/2016	184.00	184.00	03/01/2016
694	Mountain Alarm Denver	1123353	Alarm repair	02/05/2016	28.50	28.50	03/01/2016
10-80-210 Printing and Duplication							
252	Xerox Corporation	83231925	MODEL W7855PT	02/01/2016	180.63	180.63	03/01/2016
10-80-340 Dues/Membership							
68	County Sheriff's Of Colorado	2016	Membership	02/25/2016	25.00	25.00	03/01/2016
10-80-345 Edu., Training & Equip. Surchar							
292	Entenmann-Rovin Co.	115719	Police Package	02/17/2016	66.50	66.50	03/01/2016
313	Galls	4882564	Uniform	02/11/2016	235.05	235.05	03/01/2016
10-80-360 Gas, Oil, and Vehicle Repair							
869	E-470 PUBLIC HIGHWAY AUTH	2020737592	TOLL CHARGE	02/15/2016	21.55	21.55	03/01/2016
258	Jefferson County S. O.	66592	Unit 5	02/18/2016	35.30	35.30	03/01/2016
258	Jefferson County S. O.	66592	Unit 6	02/18/2016	486.22	486.22	03/01/2016
258	Jefferson County S. O.	66592	Unit 7	02/18/2016	50.20	50.20	03/01/2016
258	Jefferson County S. O.	66592	Unit 8	02/18/2016	4.56	4.56	03/01/2016
711	Voyager Fleet Systems INC	869260158607	fleet fuel	02/08/2016	237.87	237.87	03/01/2016
10-80-370 Repair and Maintenance							
407	Laser Technology Inc	315835	Police repairs	02/23/2016	125.00	125.00	03/01/2016
10-80-395 Office Supplies							
343	Staples Advantage	3292604377	Office supplies	02/01/2016	225.28	225.28	03/01/2016
343	Staples Advantage	3293148751	Office supplies	02/09/2016	7.43	7.43	03/01/2016
10-80-900 Equipment Purchase							
2	1st Bank - Lakewood	27455	Police Supplies	08/12/2015	1,946.75	1,946.75	03/01/2016
Total POLICE:					3,859.84	3,859.84	
PUBLIC WORKS							
10-85-200 Outside Services							
694	Mountain Alarm Denver	1123353	panel's	02/05/2016	46.00	46.00	03/01/2016
196	Rooney Valley Maintenance	0216	Monthly Cleaning Service	02/29/2016	504.00	504.00	03/01/2016
252	Xerox Corporation	83231927	MODEL W7845PT	02/01/2016	66.47	66.47	03/01/2016
10-85-360 Gas, Oil, and Vehicle Repair							
258	Jefferson County S. O.	66592	Unit 22	02/18/2016	36.47	36.47	03/01/2016
10-85-365 Building and Repair Materials							
943	Colorado Custom Stainless INC.	29538	Steel sheets	02/15/2016	372.00	372.00	03/01/2016
Total PUBLIC WORKS:					1,024.94	1,024.94	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
HISTORY MUSEUM							
10-90-358 Inventory - Expense							
883	Geoworld	5835	Museum	02/10/2016	202.70	202.70	03/01/2016
248	K&M International/WildRepublic	SI1001591	museum inventory	02/11/2016	20.00	20.00	03/01/2016
887	Penguin Random House	1086394828	museum inventory	02/02/2016	174.95	174.95	03/01/2016
822	Safari Ltd.	10876	Museum	01/29/2016	15.00	15.00	03/01/2016
822	Safari Ltd.	10876	Museum	01/29/2016	400.85	400.85	03/01/2016
10-90-387 Advertising							
686	Certified Folder Display Servi	126478	Distribution Service Agreement	01/01/2016	4,919.66	4,919.66	03/01/2016
700	Miles Media Group	IN18032	Advertising MNHM	01/27/2016	510.00	510.00	03/01/2016
10-90-397 Operating Supplies							
755	Eldorado Artesian Springs	21022872	Water	02/22/2016	2.50	2.50	03/01/2016
183	Quill	89404696	Supplies	02/23/2016	314.61	314.61	03/01/2016
Total HISTORY MUSEUM:					6,560.27	6,560.27	
Total GENERAL FUND:					34,675.75	34,675.75	
UTILITY FUND							
20-25370 Insurance Payable							
126	Kaiser Permanente	18254791	Insurance	02/10/2016	1,660.62	1,660.62	03/01/2016
Total :					1,660.62	1,660.62	
SEWER EXPENDITURES							
20-40-200 Outside Services							
694	Mountain Alarm Denver	1123353	panel's	02/05/2016	46.00	46.00	03/01/2016
252	Xerox Corporation	83231927	MODEL W7845PT	02/01/2016	66.47	66.47	03/01/2016
20-40-205 Postage							
90	Fp Mailing Solutions	R1102715643	Postbase	01/26/2016	30.00	30.00	03/01/2016
20-40-345 Education and Training							
810	Eric Law	0302	Employee Reimbursement	02/16/2016	150.00	150.00	03/01/2016
20-40-360 Gas, Oil, and Vehicle Repair							
258	Jefferson County S. O.	66592	Vehicle fuel	02/18/2016	66.10	66.10	03/01/2016
20-40-395 Office Supplies							
755	Eldorado Artesian Springs	21022872	Water	02/22/2016	12.63	12.63	03/01/2016
343	Staples Advantage	3293148751	Office supplies	02/09/2016	7.43	7.43	03/01/2016
20-40-397 Operating Supplies							
238	Usa Blue Book	853749	Supplies	01/22/2016	418.75	418.75	03/01/2016
20-40-410 Engineering Services							
361	TTG INC. OF DENVER	106330	WWTF Operational Assistance	01/29/2016	60.00	60.00	03/01/2016
Total SEWER EXPENDITURES:					725.18	725.18	
CAPITAL PROJECTS - UF							
20-42-901 Disinfection By-Products							
361	TTG INC OF DENVER	106330	WTP MCC Replacement	01/29/2016	2,948.20	2,948.20	03/01/2016
Total CAPITAL PROJECTS - UF:					2,948.20	2,948.20	
WATER EXPENDITURES							
20-45-200 Outside Services							
694	Mountain Alarm Denver	1123353	panel's	02/05/2016	46.00	46.00	03/01/2016
252	Xerox Corporation	83231927	MODEL W7845PT	02/01/2016	66.47	66.47	03/01/2016
20-45-205 Postage							
90	Fp Mailing Solutions	R1102715643	Postbase	01/26/2016	30.00	30.00	03/01/2016

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
20-45-308	Wells Fargo Lease Payment						
244	Wells Fargo Securities, LLC	620991AG4	Contract #002358-000001	07/14/2015	22,793.54	22,793.54	03/01/2016
20-45-345	Education and Training						
810	Eric Law	0302	Employee Reimbursement	02/16/2016	150.00	150.00	03/01/2016
20-45-360	Gas, Oil, and Vehicle Repair						
258	Jefferson County S. O.	66592	Vehicle fuel	02/18/2016	66.09-	66.09-	03/01/2016
20-45-380	Legal Services						
14	Alperstein & Coveil, P.c.	33270	General Water Services	02/01/2016	92.50	92.50	03/01/2016
20-45-395	Office Supplies						
755	Eldorado Artesian Springs	21022872	Water	02/22/2016	12.64	12.64	03/01/2016
343	Staples Advantage	3293148751	Office supplies	02/09/2016	7.43	7.43	03/01/2016
20-45-401	SCADA						
156	Mountain Peak Controls, Inc.	7956	Computer issues	02/23/2016	481.66	481.66	03/01/2016
20-45-410	Engineering Services						
715	RESPEC Consulting & Services	116-305	Water Engineering	01/29/2016	11,520.00	11,520.00	03/01/2016
361	TTG INC. OF DENVER	106330	Red Rocks Amjpitheater Water Se	01/29/2016	2,076.06	2,076.06	03/01/2016
20-45-500	Chemicals						
872	TREATMENT TECHNOLOGY	172014	SUPPLIES	02/17/2016	1,319.26	1,319.26	03/01/2016
20-45-510	Lab Fees						
286	Colorado Analytical Lab	160218020	Drinking Water	02/22/2016	46.00	46.00	03/01/2016
Total WATER EXPENDITURES:					38,575.47	38,575.47	
Total UTILITY FUND:					43,909.47	43,909.47	
Grand Totals:					78,585.22	78,585.22	

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Report Criteria:

- Invoices with totals above \$0.00 included.
- Only paid invoices included.

Kara Zabilansky

From: Steve Good <stephenlgood@yahoo.com>
Sent: Friday, February 26, 2016 11:58 AM
To: Kara Zabilansky
Subject: Red Rocks Denver Historic Landmark District Designation

Dear Ms. Zabilansky:

Thanks for meeting with me yesterday.

As a representative of Friends of Red Rocks, I'm participating in a working group convened to examine the possibility of creating a Denver Historic Landmark District for all (or part) of Red Rocks Park and CCC Camp.

The group includes representatives of Denver City Council, Theaters and Arenas, Parks and Recreation, and others.

As you know, Red Rocks Park and CCC Camp were designated a National Historic Landmark last year. That designation does not have the review powers that Denver Landmark Preservation Commission designation (with design guidelines) would bring.

One of our members wondered if landmarking the entire Park would be of any concern to Morrison. As you know, the Park extends north of the highway, and south (the CCC Camp) of Bear Creek.

If you have no such concerns, a letter to that effect would be welcome.

Designation would create a new level of review within the Park for projects that would alter any character-defining features, or add improvements like structures or parking lots, etc. Any such proposed changes would be subject to public hearings held by the Denver Landmark Preservation Commission. Landmark designation would not affect or cover the operations of Theaters and Arenas at the Amphitheater.

Please let me know if you have any further questions about this.

Sincerely,

Steve Good
Friends of Red Rocks
303=946-3545

Steve Good
Friends of Red Rocks



Rooney Valley Master Plan Update

Community Workshops

**THE TOWN OF MORRISON AND CITY OF LAKEWOOD INVITE
YOU TO BE A PART OF OUR MASTER PLAN UPDATE PROCESS**



6:00 PM

**March 16, 2016, April 20, 2016, and
May 24, 2016**

**Fireside Chapel at Red Rocks Baptist Church
14711 W. Morrison Road, Morrison, CO**

**Each meeting will cover a new topic so PLEASE join us
for all three meetings to
share your IDEAS and stay INFORMED on the**

**FUTURE OF THE ROONEY
VALLEY!**

**DOOR PRIZES,
FOOD &
DRINK
PROVIDED**

**Like us on Facebook at:
PlanRooneyValley**

**BRING
THE
KIDS!**