

# Paint the Pavement

Summer, 2011



**In recent years, Boulder residents have expressed interest in painting murals on their streets to celebrate unique aspects of their neighborhoods and strengthen community bonds.**

**The City of Boulder has established a process by which neighbors can come together to install a Paint the Pavement project on their street. This information packet explains the process and requirements, and provides all of the necessary forms.**

**For more information, contact:  
GO Boulder  
City of Boulder Transportation Division  
1739 Broadway, second floor  
Boulder, CO 80302  
303-441-3266 phone  
[www.bouldertransportation.net](http://www.bouldertransportation.net)**

## Paint the Pavement project check list

Contact GO Boulder with your proposed location for the Paint the Pavement mural

\_\_\_\_\_ GO Boulder approval of the proposed location

\_\_\_\_\_ Guidance on Method of Handling Traffic (MHT) to install the mural

Submit completed application forms

\_\_\_\_\_ Paint the Pavement Installation Agreement

\_\_\_\_\_ Block Party to Paint the Pavement permit application

\_\_\_\_\_ Petition of residents/businesses

Contact the Arts Commission to request a presentation of your mural artwork to the Board

\_\_\_\_\_ Arts Commission review and approval

Obtain and display permit and executed agreement for your event

\_\_\_\_\_ Block Party to Paint the Pavement Permit

\_\_\_\_\_ Executed Installation Agreement

Send GO Boulder photos

\_\_\_\_\_ Event in progress to paint the pavement mural

\_\_\_\_\_ Finished mural

## Step 1: When considering a project

**Contact GO Boulder with your proposed location for the Paint the Pavement mural.** Identify the intersection or street section. The City Traffic Engineer will provide a response within 15 days as to whether the location is a good candidate for a Paint the Pavement installation from a traffic control and operations point of view. The response also will indicate whether or not a Traffic Control Plan is needed. Street closures or events that are larger or more complex also may require a Special Events Permit.

## Step 2: At least 60 days before the event

A primary contact (hereinafter called applicant) is responsible for submitting the following forms:

- **Paint the Pavement Installation Agreement (with design)**

This agreement authorizes construction and maintenance of the project, as described and shown in the submitted diagrams, with associated conditions. It must be approved by the City Traffic Engineer. Applicant must provide a written description of the proposed design and a diagram depicting how the intersection will look when completed. Please include dimensions and orientation on the street.

- **Block Party to Paint the Pavement Permit Application to close the street for the installation event to paint the mural (with petitions and a map)**

The easiest way to close the street is to submit a *Block Party to Paint the Pavement Permit Application*. This permit allows neighborhood streets to be closed for the painting event, and includes a petition signed by neighbors. Depending on the traffic volumes on the street, a Traffic Control Plan created by a certified Traffic Control Technician may be required by the City Traffic Engineer.

Note: The City provides permits for larger events through a Special Events Permit process. A Paint the Pavement project can be created while a street is closed for a special event. In this case, the applicant would not submit a Block Party Application, but would instead include the *Paint the Pavement Installation Agreement Form* with the Special Event application.

## Step 3: As soon as your installation agreement/application is submitted

**Schedule a visit to the Boulder Arts Commission for approval.** The applicant (or a designee) will need to attend a meeting of the Boulder Arts Commission, as the city charter requires their approval on all public art installations. The applicant should contact Greg Ravenwood at 303-441-4113 to be placed on the agenda. The Commission meets on the third Wednesday of each month.

## Step 4: Day of Event

**Photographs and report:** Please take at least two photographs of the finished project. Photos of work-in-progress would be appreciated. We would also appreciate a brief summary of the project with advice to others considering a project. We may post these on the city website. Please provide photos and summary to GO Boulder staff within two weeks following the event.

### Contact:

GO Boulder/City of Boulder Transportation Division  
1739 Broadway, second floor • 303-441-3266  
Marni Ratzel • ratzelm@bouldercolorado.gov

## Important things to know

### about Paint the Pavement Projects in Boulder neighborhoods

**Choosing a location:** Quiet residential streets are the best candidates. In general, if the proposed project location is at an intersection, the two streets should be classified as local streets and carry less than a combined 2,500 vehicles on an average day. If the project is in a mid-block location, the segment should be classified as a local street and carry less than 1,250 vehicles on an average day. This information may be obtained from the city transportation office at 303-441-3266.

**Appropriate Designs:** The applicant must provide the city with a written description of the project and a diagram depicting how the intersection will look when completed. The diagram should include dimensions and orientation on the street. Community identity logos are acceptable but no advertising of any sort will be allowed as part of the project. Designs should not replicate or mimic traffic control devices (such as stop signs or crosswalks).

**Traffic Engineer Approval:** The City Traffic Engineer must approve the Paint the Pavement mural design and retains the right to require changes to any and all elements of the project design in order to insure public safety and operation of the transportation system. Approval is indicated by the signature of the city Traffic Engineer on the Paint the Pavement Installation Agreement.

**Other Approvals:** The Boulder Arts Commission, by charter, must approve any public art installations in the city. Their approval will be indicated by a letter from the Commission. The Paint the Pavement Installation Agreement also includes certifications from the City Manager that the project does not constitute graffiti, which is prohibited under city code.

**Scope of Agreement:** The agreement covers use of the public right-of-way only, and does not exempt the applicant from obtaining any license or permit required by the City Code or Ordinances for any act to be performed under this permit. Nor will the permit waive the provisions of any City Code, Ordinance, or the City Charter, except as stated herein. The agreement will not exempt any party from complying with all applicable traffic laws, including laws regarding pedestrians, except as allowed by the *Block Party to Paint the Pavement Permit*.

**Authorization:** The applicant is not authorized to do any excavation. The applicant will be responsible for protecting all public and private facilities placed in the public right-of-way, including underground utilities.

**Closing the Street:** While painting the design, the street or intersection must be closed in an appropriate fashion to ensure safety of all participants. Most neighborhood Paint the Pavement Projects can be accomplished as part of a neighborhood block party, which is a gathering of residents in a neighborhood for the purpose of building relationships and fostering community. Larger or more complex events which include a Paint the Pavement Project may need to apply through the city's special events permitting process.

Events that meet the requirements of a block party can file a *Block Party to Paint the Pavement Permit Application* to obtain a permit to close a single block of a street or a low-volume intersection in order to install the project modifications. Applicants must use the form specifically designed for Paint the Pavement events, as it differs from the standard block party application in several ways: it extends the hours to allow enough time for the paint to dry, it may require a more robust traffic control plan, and it requires that a petition be submitted showing neighborhood support both for the event and for the design.

**Appropriate Paint:** Paint must be low-toxicity and lead-free. Acceptable options include latex (waterborne) paints from Diamond Vogel or Colorado Paint (this is what the city uses for street application). Other lead-free exterior latex or enamel paints will be acceptable. The city recommends using water-based paints because of easier clean-up and generally lower toxicity. A pilot project on South 31<sup>st</sup> Street in 2009 suggests

that the artwork may need to be retouched annually. It is important that no paint or clean-up water be disposed of in storm drains as they drain directly into our creeks. Clean-up should be done in a sink which drains into the sewer system.

**Future street disturbances:** Street repair, street maintenance, street reconstruction, repair of existing utility facilities or installation of new utility facilities in the right-of-way may cause damage to the project. Any costs of repair will be borne by the applicant, with no responsibility of the city, other agencies or entities to repair or replace the project.

**Mural Repair:** Any future painting of the pavement mural, including touch-ups or redesign, will require the applicant to following the application procedures outlined in this packet.

**Revocation of Agreement:** The City may revoke an agreement for convenience. Any paint the pavement mural no longer meeting the original intent of the project may be immediately revoked by the City. Other reasons for revocation may include, but are not limited to:

- **Neighborhood Conflicts:** The applicant will work with all affected neighbors to resolve any concerns that may arise regarding the project. The inability to resolve such concerns may be grounds for revocation of the agreement by the Traffic Engineer.
- **Nuisance conditions:** If any nuisance condition is allowed to exist in the area of the project, the City may summarily abate such nuisance. The existence of a nuisance in the area of the project may be grounds for revocation of the permit.

# Paint the Pavement INSTALLATION AGREEMENT

**THIS AGREEMENT is made and entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between \_\_\_\_\_ (hereinafter referred to as “Applicant”) representing Neighborhood Group \_\_\_\_\_ (if applicable) and City of Boulder Department of Public Works (hereinafter referred to as “The City of Boulder”)**

WHEREAS, the Applicant has submitted plans and a valid petition for painting the pavement at the

- intersection of \_\_\_\_\_ and \_\_\_\_\_  
or
- midblock location on \_\_\_\_\_  
between \_\_\_\_\_ and \_\_\_\_\_

WHEREAS, The City of Boulder has reviewed plans and approves installation;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Applicant will hold the City of Boulder, its officers, agents, and employees free and harmless from any claims for damages to persons or property, including legal fees and costs of defending any actions or suits, including any appeals, which may result from painting.
2. Applicant shall be responsible for installation of the painting in accordance to the drawing submitted to the Traffic Engineer, as approved by the Traffic Engineer, the Boulder Arts Commission and the City Manager.
3. Applicant will work with all affected neighbors to resolve any concerns that may arise regarding the project. The inability to resolve such concerns may be grounds for revocation of the agreement by the City.
4. Applicant will obtain a Neighborhood Block Party Permit or Special Events Permit from the City of Boulder to close all legs of the intersection for up to one block distance, in order to install the intersection painting.
5. Applicant will be responsible for submitting a Method for Handling Traffic (MHT) for approval by the Traffic Engineer, if such plan is deemed necessary by the Traffic Engineer, and paying all costs of designing and implementing the method. No street will be blocked for more than 14 hours in any 24-hour period unless specifically allowed by the Traffic Engineer.
6. Applicant will notify all households and businesses within four standard city blocks of the proposed project at least 30 days before the project installation date.
7. Applicant understands that if any nuisance condition is allowed to exist in the area of the project, the City may summarily abate such nuisance. The existence of a nuisance in the area of the project may be grounds for revocation of the agreement.

- 8. Applicant shall repair the painting project as needed, or portions of the project, with all costs borne by the applicant, if street repair, street maintenance, street reconstruction, repair of existing utility facilities or installation of new utility facilities in the right-of-way affects the installation.
- 9. Applicant shall follow the standard application procedures, in place at the time of application, to obtain City approval to complete any future repair or repainting of the pavement mural.
- 10. This agreement covers use of the public right-of-way only, and does not exempt the applicant from obtaining any license or permit required by the City Code or Ordinances for any act to be performed under this permit. Nor will the agreement waive the provisions of any City Code, Ordinance, or the City Charter, except as stated herein. This agreement will not exempt any party from complying with all applicable traffic laws, including laws regarding pedestrians, except during the hours of street closure, as approved by the City.
- 11. The City of Boulder may revoke an agreement for convenience. The City of Boulder will immediately revoke a permitted project no longer meeting the original intent of the project. Other reasons for revocation may include, but are not limited to:
  - o **Neighborhood Conflicts:** The applicant will work with all affected neighbors to resolve any concerns that may arise regarding the project. The inability to resolve such concerns may be grounds for revocation of the agreement by the Traffic Engineer.
  - o **Nuisance conditions:** If any nuisance condition is allowed to exist in the area of the project, the City may summarily abate such nuisance. The existence of a nuisance in the area of the project may be grounds for revocation of the permit.
- 12. This agreement shall remain in effect for one (1) year from the date of this agreement.
- 13. The painting project described above is done with the express permission of the City Manager and shall not be deemed to be graffiti pursuant to City Code (Section 5-4-14, B.R.C. 1981).
- 14. IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year above first written.

By:

\_\_\_\_\_  
Applicant signature

\_\_\_\_\_  
Bill Cowern, City Traffic Engineer

\_\_\_\_\_  
Applicant name

\_\_\_\_\_  
Jane S. Brautigam, City Manager

\_\_\_\_\_  
Phone Number

Attest:

\_\_\_\_\_  
Alisa Lewis, City Clerk

\_\_\_\_\_  
e-mail

Approved as to Form:

\_\_\_\_\_  
City Attorney

# Block Party to Paint the Pavement PERMIT APPLICATION PACKET

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**SECTION 1**  
**Regulations and Requirements**  
Retain for your records

**SECTION 2**  
**Application Forms**  
Complete and return

City of Boulder  
Office of the City Manager  
and  
GO Boulder/Transportation Division of Public Works  
1739 Broadway  
Boulder, CO 80302  
303-441-3266 phone 303-441-4271 fax  
ratzelm@bouldercolorado.gov



## Block Party to Paint the Pavement PERMIT APPLICATION PACKET

Important note: This application is based on the City of Boulder's standard block party permit. However, it has been modified to address some additional requirements for Paint the Pavement projects. If you are planning a regular block party, without painting the street, please use the standard application, available at the City Manager's office or [here](#).

Please allow 30 days for processing. When the permit has been approved, the sponsor will be contacted to sign and pick it up.

### Section 1

#### **Regulations (for your information)**

The City of Boulder welcomes the opportunity to work with neighborhood groups wishing to build relationships and strengthen their corner of the community. Block parties are often a wonderful way for neighbors to reach out and connect with one another, so the city has carefully crafted the following application process in an effort to provide clear and concise guidelines for block party hosts. We hope the items contained in this application will help you create a safe, fun and enjoyable gathering on your neighborhood block. Please read the following information carefully and let us know if you have any questions or need any assistance. Thank you!

**A block party is a gathering of residents on a particular neighborhood block for the purpose of building relationships and fostering community.**

**Block parties can include:** the closing and barricading of a residential city street or intersection (required); the availability of refreshments; activities within the blocked street area; and *other activities that are legal and safe.*

**Block parties DO NOT include:** loud music; alcohol on public streets, sidewalks or other city property; unknown or uninvited guests; mandatory cover charges; closure of more than one street or intersection; any activities that could result in city code violations; more than the designated number of participants; any activity that violates the block party permit; *or any illegal or unsafe activity or behavior as determined by the police and fire departments.*

#### **Process:**

Each request for a block party permit will be reviewed on a case by case basis. GO Boulder and the City Manager's Office will send a completed application to various departments for their approval (Fire, Police, Environmental Enforcement, Transportation, Neighborhood Services and Risk Management). You **do not** need to contact each City department. The only exception is **you must contact Environmental Enforcement when live or amplified music will be present** (see below), and **you must contact the Boulder Arts Commission to be included on their agenda** for approval of your painting design.

The following information provides procedures followed by the City of Boulder. The City Manager will make decisions on granting or denying this permit application based on criteria specified in 2-2-11 BRC 1981.

- The block party sponsor must be a resident of the block to be closed.
- The sponsor must be at least 18 years of age.
- Block party must be held between the hours of 8 am and 10 pm. Amplified music is only allowed between noon and 10 pm.
- No more than 100 people may attend. Special approval must be given by the city for numbers greater than this.
- Block parties may not be held on major roads or areas where safety is a concern.
- Barricades and Marshals must be provided by the applicant as outlined in the street closure section of this application, or by the Traffic Control Plan, if one is required.
- Alcohol is not permitted on public property.

#### **Application Information:**

This application must be filled out completely. The application will be approved and a permit issued only after all requirements and deadlines of the City of Boulder are met. Failure to comply with any of the following requirements and deadlines may terminate the permit process; or result in denial or revocation of the block party permit. When the permit has been approved, the sponsor will be contacted to sign and pick it up.

If the permit is denied, the City of Boulder assumes no liability for expenses incurred by the applicant. Permits may be denied for any reason deemed necessary by the City, particularly where significant dates, public safety, police staffing and neighborhood concerns are identified.

**If during the course of the event, the city determines there is a public safety hazard or if there is a violation of any permit condition, the event can be terminated immediately.** The sponsor will be responsible for closing down the block party immediately, ensuring participants vacate the premises, removing barricades and thoroughly removing any event supplies and trash. The City of Boulder is not responsible for any expenses incurred by the permit holder. Failure to meet the requirements of this permit may provide basis for denial of future permits for a block party, or sponsor.

### Requirements

1. **Application:** Submit a complete application to GO Boulder at least 30 days in advance. Late or incomplete applications will not be accepted. Send via mail, hand deliver, or via e-mail to the address on the front page. Application must include:
  - Completed *Block Party to Paint the Pavement Permit Application*, which includes
    - detailed map of area to be closed
    - completed petitions
  - Traffic Control Plan (if required by Traffic Engineer)
  - Paint the Pavement Installation Agreement*, which includes
    - a written description and sketch of the design to be painted

- 2. Traffic Control.** The Traffic Engineer will determine whether a simple closure can be used or if a Traffic Control Plan is needed, based on traffic volumes and safety considerations. Please contact GO Boulder prior to submitting this application for a determination on which closure will be required. All costs related to the design and implementation of the simple closure or the Traffic Control Plan are the responsibility of the neighborhood.

**SIMPLE CLOSURE:**

Two type III (3) barricades (with flashing lights) with “Road Closed” signs will be used to close the street; marshals (designated residents or someone hired to serve in that capacity) are required at the points of closure to answer questions and maintain the barricades. The applicant is responsible for renting barricades.

Accommodation for emergency response must be provided at all times on the streets. Barricades must be staffed at all times and must be movable to accommodate emergency access for police, fire, and emergency medical services.

Accommodation for emergency response must be provided at all times on closed streets. A 20-foot wide corridor must be maintained along the closure for emergency vehicles. The city recommends that all block party set-ups (food, tables, chairs, toys, etc.) be placed on one side of the street only to allow access for emergency vehicles in the event of emergency. Barricades must be staffed at all times and must be movable to accommodate emergency access for police, fire, and emergency medical services.

Marshals must be 18 years of age or older. **Marshals shall not act as flaggers or traffic controllers.**

**TRAFFIC CONTROL PLAN:**

If a Traffic Control Plan (TCP) is required, it must be developed and implemented under the supervision of a certified Traffic Control Supervisor (TCS) or certified Traffic Control Technician (TCT). The TCS or TCT will be responsible for delivering and installing barricades in the proper positions as depicted in the TCP at the beginning of the event, and removing them at the end of event and returning them to delivery location. Most barricade rental companies have a TCS or TCT on staff, who can provide an estimate for their services. The development of the TCP and all costs related to it are the responsibility of the neighborhood.

- 3. Amplification or live music requirements:**

If you have been granted a block party permit and amplification or live music will be present, you must contact Environmental Enforcement at 303-441-3239 to determine if an off-duty officer must be hired (**21 days in advance**). If complaints are received, all music, bands, and amplification will be turned down or turned off.

A summons will be issued for any municipal code violation (Boulder Revised Code 5-6-2 and 5-3-8). A copy of these ordinances may be obtained at the Citizen Assistance Office or the Environmental Enforcement Office or on the web at <http://www.colocode.com/boulder2/chapters5-9.htm>

Payment for the Environmental Officer is required 21 days in advance of the event. Hourly rates for 2011 are \$52/hour for more than two weeks notice; \$75/hour for less than two weeks' notice, plus a 10% administrative fee. Rates are subject to change.

4. **Alcohol:** A Block Party permit does not allow the sale of alcohol or the consumption of alcohol on public property (in city streets, sidewalks, parks, etc.). Alcohol is allowed only on private property. All state and city alcohol laws still apply during Block Parties.
5. **Clean-up:** Sponsor is responsible for cleanup after the event.
6. **Block Party Notification:**

A petition must be circulated in the neighborhood to show support for the Paint the Pavement event and the design of the street painting. The petition process serves to as a means to contact the residents on your block(s) and notify them of your plans for a block party. This helps avoid misunderstandings and signifies to the city that the majority of the residents endorse this event, and helps strengthen neighborhood relations.

Other ways to notify your neighbors include phone calls, e-mails or a save the date flier. Whatever method you choose, it is important to include the date and time that the street will be closed. This helps residents plan ahead. Should any conflicts with the proposed block party date, time or location arise, it is the responsibility of the applicant to work through the issue with your neighbor.

7. **For ideas, tips and more information on hosting a block party, go to [www.bouldercolorado.gov](http://www.bouldercolorado.gov)**
8. If you have any problems during the block party, please call the police at the non-emergency number 303-441-3333. For an emergency call 911.

## Block Party to Paint the Pavement PERMIT APPLICATION

### Section 2 – Application Form (Return this Section)

Check off the following items that are enclosed with your completed application:

**Required:**

- Completed application, which includes
  - detailed map of area to be closed
  - completed petitions
- Traffic Control Plan (if required)
- Paint the Pavement Installation Agreement*, which includes
  - a written description and sketch of the design to be painted

**Optional:**

- amplified sound (live/amplified music, PA system): Refer to Requirement #3 for compliance

**Submitted by:**

\_\_\_\_\_

Block Party Sponsor signature

\_\_\_\_\_

Phone

Today's Date: \_\_\_\_\_ Date of Block Party: \_\_\_\_\_

Address of Block Party: \_\_\_\_\_

\_\_\_\_\_

(attach map of block party area)

Describe Event: \_\_\_\_\_

Applicant: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

City

\_\_\_\_\_

State

\_\_\_\_\_

Zip Code

Start time: \_\_\_\_\_ a.m/p.m. Finish time: \_\_\_\_\_ p.m.

Number of persons attending: \_\_\_\_\_ (greater than 100 requires special approval)

Will amplified music be provided? \_\_\_\_\_ (if yes, refer to requirement #3 for compliance)

Will alcohol be available? \_\_\_\_\_

If so, which address(es) will have alcohol? \_\_\_\_\_

\_\_\_\_\_

**Alcohol is only allowed on private property. All state and city alcohol laws still apply during Block Parties. A Block Party permit does not allow the sale of alcohol or the consumption of alcohol on public property.**

How do you plan on notifying your neighbors? (See #6 for ideas) \_\_\_\_\_

\_\_\_\_\_

Applicant may be asked to produce map, flyers, etc. upon request by the city.

As an applicant for a block party permit, I certify that I have read and understand all of the conditions and procedures that are required in order to obtain the permit and I agree to comply with each of those conditions and procedures.

I agree to indemnify and hold harmless the City of Boulder, and all City of Boulder officers, employees, agents and representatives, from any claims (including costs of defending such claims) or damages that may arise from the occurrence of the block party or from related events.

I understand that a block party permit does not authorize violation of city or state laws, except to the limited extent that it allows a street to be temporarily closed in conformity with permit conditions and allows the painting of a design in the street. I also understand that a block party permit does not excuse failure to comply with orders of law enforcement personnel, firefighters or other emergency workers, and that it does not provide immunity from civil claims of third parties that are based upon damages occurring at, or in conjunction with, block party events.

**I affirm, under penalty of perjury, that the statements and representations made in connection with this application are true to the best of my knowledge.**

\_\_\_\_\_  
Block Party Sponsor Signature

\_\_\_\_\_  
Date

# Paint the Pavement PETITION

Because the Paint the Pavement project will create a semi-permanent change to the neighborhood environment, in addition to closing the street for a day, identifying support from neighbors is especially important. The Paint the Pavement Petition must have signatures from 100 percent of the property owners directly abutting the project and at least 60 percent of the property owners and/or residents on the project street frontage(s) within the “impact area” which is defined as one standard city block (or 400 feet) of the proposed project, or within the area to be closed for the painting event, whichever is greater. Each residence within the impact area will only receive only one “vote” per address. Either a renter or property owner may sign the petition form on behalf of an address, but not both. Multi-family units require the approval of the property manager or homeowner association, or 60% of unit owners or tenants. For public properties, the site manager’s approval is adequate.

The Traffic Engineer may modify the petition boundaries when considered appropriate. The petition states that approval is being given both for the street closure and the painting of the street.

Person responsible for circulating this petition:

Name: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
E-mail: \_\_\_\_\_

Location of Paint the Pavement mural:

Roadway Segment: \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_

OR

Roadway intersection \_\_\_\_\_ at \_\_\_\_\_

Date of painting event: \_\_\_\_\_

The “impact area” for the proposed Paint the Pavement mural treatment is defined by City staff and includes those residences listed in the petition below.









