

City of Durango, Colorado
Durango Archaeological Ordinance

10-5-16 *Archaeological resources*. The city recognizes the existence and importance of buried prehistoric and historic archaeological resources in the city and declares as a matter of public policy that strong and consistent efforts will be made to identify, preserve and protect such resources wherever possible and reasonable.

(a) All archaeological sites, whether designated or nondesignated, archaeological structures, and artifacts on city-owned property are the collective property of the citizens of the city and it is unlawful to remove, plunder or disturb any such site, structure or artifact without prior written authorization having first been obtained from the office of the city manager.

(1) Anyone violating any provisions of this section (10-5-16) shall be subject to penalties as set forth in Article 14.

(b) The city council shall implement the above archaeological policy in accordance with the following:

(1) Shall appoint a city archaeologist to serve and advise the city upon request concerning any matters regarding archaeological and historical preservation.

(2) Shall examine any site and make appropriate recommendations in advance of the issuance of any city development approval or permit to ensure that all potential archaeological resources have been identified and professionally evaluated.

(3) If found to be of archaeological significance to the community, state, or nation, shall undertake necessary mitigation programs for such resources on public property, and shall encourage the implementation of necessary mitigation programs for such resources on private property should important archaeological resources be threatened with damage by any construction or development proposed to be permitted, licensed or funded by the city.

(a) Such mitigation programs shall include, to the extent feasible:

1. The preservation of archaeological resources in their original location.
2. Necessary excavations for purposes of recording and documenting the archaeological site, structure or artifact.
3. Examination and investigation sufficient to obtain necessary information to ensure the preservation of the historic, archaeological and other scientific significance of the site, structure or artifact.
4. The completion of necessary mapping, photographing or recording of any historical structure in accordance with the standards of the Historical American Building Survey and the Historic American Engineering Record.
5. Shall maintain a complete set of maps and other necessary records pertaining to all known archaeological sites within the city limits.

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- (a) Such records shall include appropriate repositories for any maps, photographs, or artifacts recovered during an archaeological survey of sites within the city.
6. Shall create and institute a register of historic and archaeological properties within the city limits.
- (a) Nominations to the register of historic and archaeological properties may be made by any private or public entity or person and shall be reviewed by a committee established by the city council for such purpose.
- The committee shall make the necessary recommendation for inclusion within the register to the city council. The register of historic and archaeological properties shall be independent of any similar federal or state register.
7. Shall require that any work carried on by employees of the city involving archaeological sites, structures or artifacts, be appropriately documented and reported according to accepted professional standards including the filing of a copy of any such report with the Colorado Historic Preservation Office.
8. Shall establish a system of liaison and public information, whereby residents of the city may be given qualified assistance regarding archaeological and historic preservation.
9. Shall identify and designate structures or sites of an archaeological nature that may have potential for development and to further develop such structures or sites for public viewing, enjoyment, recreation and education.
10. Shall publicize, promote and encourage public awareness of the need for, and the benefits to be derived from, archaeological preservation and to further encourage private individuals, property owners, and developers to participate in and financially support the archaeological monitoring of their projects in a spirit of public cooperation and goodwill.