Weld County Code Ordinance 2026-11

In the Matter of Repealing and Reenacting, with Amendments, Chapter 2 Administration of the Weld County Code

Be it ordained by the Board of County Commissioners of the County of Weld, State of Colorado:

Whereas, the Board of County Commissioners of Weld County, Colorado, pursuant to Colorado statute and the Weld County Home Rule Charter, is vested with the authority of administering the affairs of Weld County, Colorado, and

Whereas, the Board of County Commissioners, on December 28, 2000, adopted Weld County Code Ordinance 2000-1, enacting a comprehensive Code for the County of Weld, including the codification of all previously adopted ordinances of a general and permanent nature enacted on or before said date of adoption, and

Whereas, the Weld County Code is in need of revision and clarification with regard to procedures, terms, and requirements therein.

Now, therefore, be it ordained by the Board of County Commissioners of the County of Weld, State of Colorado, that Chapter 2 Administration of the Weld County Code be, and hereby is, repealed and re-enacted, with amendments, to read as follows.

Chapter 2
Administration

Sec. 2-2-70. Mineral leasing policy.

~~A. The County owns mineral rights for approximately forty thousand (40,000) acres. The Board of County Commissioners has adopted the following mineral leasing policies:~~

~~1. Large Tract leases (5.01 acres, or more).~~

~~a. The term of the leasing period shall be a maximum of three (3) years.~~

~~b. There shall be a continuation of the sealed bid process with the amendment that the top two (2) bidders and any other bidder within ten percent (10%) may participate in an auction. The opening of the sealed bids shall be held on the same day as the auction.~~

~~c. A bid of at least six hundred dollars ($600.00), per mineral acre, shall be the minimum bonus amount required.~~

~~d. There shall be a continuation of the requirement for certified funds.~~

~~e. Where there is a conflict concerning the ownership of the mineral interest, the Lessee shall provide evidence of ownership to the Lessor.~~

~~f. Royalty interest in the production to be paid to the County shall be at least twenty-two and one-half percent (22.5%). Specific amount of royalty interest shall be set by the Board of County Commissioners prior to the bidding process.~~

~~2. Small Tract leases (up to, and including 5.0 acres).~~

~~a. The term of the leasing period shall be a maximum of three (3) years.~~

~~b. Where there is a conflict concerning the ownership of the mineral interest, the Lessee shall provide evidence of ownership to the Lessor.~~

~~c. Royalty interest in the production to be paid to the County shall be twenty-two and one-half percent (22.5%) when bidding is waived, with a minimum of a twelve-hundred-dollar ($1,200.00), per mineral acre, royalty bonus.~~

~~B. The Board of County Commissioners adopted the following policy for extending the terms of all mineral leases. The Board will extend the terms of all mineral leases, in which it is the Lessor, according to the following conditions:~~

~~1. No lease term will be extended for more than six (6) months from the original expiration date as contained in the mineral lease.~~

~~2. The Lessee shall pay to the Lessor the sum of one-third (⅓) of the original bonus amount.~~

~~3. The Lessee must pay to the Lessor the sum of two and 50/100 dollars ($2.50), per mineral acre leased, as delayed rental for the term of the extension.~~

~~4. The royalty will remain the same as in the original lease.~~

A. The County owns mineral rights for approximately forty thousand (40,000) acres. The Board of County Commissioners has adopted the following mineral leasing policies:

1. Mineral leases

a. The term of the leasing period shall be a maximum of three (3) years.

b. The County may identify County-owned mineral interests for lease and may also consider nominations or expressions of interest from interested parties for inclusion in a public auction. Mineral leases shall be offered through a public auction under such terms and procedures as may be established by the Board of County Commissioners, including bidder qualification requirements, payment terms, and the right to reject any or all bids.

c. The minimum bonus amount required shall be based upon fair market value per mineral acre, as determined by the Board prior to the bidding process using such valuation information as it deems appropriate, including, but not limited to, market surveys, comparable lease terms, prior auction results, appraisals, or staff recommendations.

d. The successful bidder shall timely pay the required consideration in such form and manner as may be established by the Board of County Commissioners. Failure to make the required payment timely may result in disqualification, forfeiture of the award, or such other action as may be authorized by procedures established by the Board of County Commissioners.

e. Where there is a conflict concerning the ownership of the mineral interest, the Lessee shall provide evidence of ownership to the Lessor. If the County owns less than the full mineral interest, any royalty and rental payments shall be reduced proportionately, but no portion of the bonus paid shall be refunded.

f. Royalty interest in production to be paid to the County shall be based upon fair market value. Prior to each auction or bidding process, the Board shall establish the specific royalty interest using such valuation information as it deems appropriate, including, but not limited to, market surveys, comparable lease terms, prior auction results, appraisals, or staff recommendations. The royalty interest established for that auction or bidding process shall be included in the lease and shall not change during the term of the lease, unless expressly stated in the lease.

g. All leases issued under this section shall be on the lease form approved by the Board, as may be amended from time to time.

B. Any lease extension shall be governed by the terms of the applicable lease agreement. For any mineral lease approved on or after the effective date of this Section, the lease agreement shall serve as the controlling contract between the County, as Lessor, and the lessee. Unless otherwise stated in the lease agreement approved by the Board, the standard extension terms may include the following:

1. No lease term shall be extended for more than two (2) additional years from the original expiration date as contained in the mineral lease.

2. The Lessee requesting the extension shall pay to the Lessor the sum of one and one-half (1.5) times the original bonus amount.

3. The Lessee requesting the extension must pay annual rental in the amount of Two and 50/100 Dollars ($2.50) per net mineral acre, or such other amount established by the Board and stated in the lease, annually in advance during the

primary term, any approved extension, and for so long as the lease remains in effect.

4. The royalty and rental will remain the same as in the original lease.

Be it further ordained by the Board that the Clerk to the Board be, and hereby is, directed to arrange for Municode to supplement the Weld County Code with the amendments contained herein, to coincide with chapters, articles, divisions, sections, and subsections as they currently exist within said Code; and to resolve any inconsistencies regarding capitalization, grammar, and numbering or placement of chapters, articles, divisions, sections, and subsections in said Code.

Be it further ordained by the Board, if any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is for any reason held or decided to be unconstitutional, such decision shall not affect the validity of the remaining portions hereof. The Board of County Commissioners hereby declares that it would have enacted this Ordinance in each and every section, subsection, paragraph, sentence, clause, and phrase thereof irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses, or phrases might be declared to be unconstitutional or invalid.

First Reading: July 15, 2026
Publication: July 19, 2026, in the Greeley Tribune

Second Reading: July 29, 2026
Publication: August 2, 2026, in the Greeley Tribune

Final Reading: August 12, 2026
Publication: August 16, 2026, in the Greeley Tribune

Effective: August 21, 2026