

ORDINANCE NO. 16-123

AN ORDINANCE ASSESSING COSTS FOR WORK PERFORMED IN BUILDING DEMOLITION AT 418 EAST CUCHARRAS STREET, CHARGING THE WORK AGAINST THE PROPERTY UPON WHICH THE WORK WAS DONE AND CERTIFYING THIS ASSESSMENT TO THE COUNTY TREASURER FOR COLLECTION AS A PRIORITY LIEN

WHEREAS, pursuant to Chapter 7, Article 14, Part 4 of the Code of the City of Colorado Springs 2001, as amended ("City Code") and the Regional Building Code, the property owner was notified by certified letter that the property owned was in violation of the Regional Building Code's Dangerous Buildings Code (RBC112.1) due to conditions existing with the structures located on the property requiring building demolition; and

WHEREAS, the owner was further notified that if the conditions were not abated, abatement would be accomplished and the cost of the abatement would be billed as a special assessment against the property; and

WHEREAS, the conditions were not abated by the property owner; and

WHEREAS, the abatement of the conditions was accomplished by the City's Public Works Department ("City Engineering"); and

WHEREAS, City Engineering has certified that the cost of abatement amounted to a total cost of \$122,807.99; and

WHEREAS, the owner has been notified that the City Council would hear and determine any complaints and objections to the costs incurred in abating the conditions and would be asked to assess by Ordinance the costs of abatement against the property; and

WHEREAS, the owner was further notified that any complaints or objections to the costs of abating the conditions must be filed with the City Clerk within ten (10) days from the mailing of notice; and

WHEREAS, to recover the significant costs of assessment, it is essential that this assessment and lien be certified to the County Treasurer for collection in accord with C.R.S. § 31-20-105.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. City Council finds and determines that the property located at 418 East Cucharras Street was in violation of Chapter 7, Article 14, Part 4 of the City Code and Section RBC112.1 (Dangerous Buildings Code) of the Regional Building Code and further finds that the costs of abatement were proper and reasonable.

Section 2. The costs of abatement in the amount of \$98,246.39, plus a twenty-five percent (25%) surcharge in the amount of \$24,561.60 to defray inspection, collection, publication and other administrative expenses, representing a total assessment in the amount of **\$122,807.99**, is hereby levied, assessed and charged against the property located at 418 East Cucharras Street, legally described as:

W 25 FT OF LOTS 9, 10 EX N 10 FT BLK 105 ADD 1 COLO SPGS

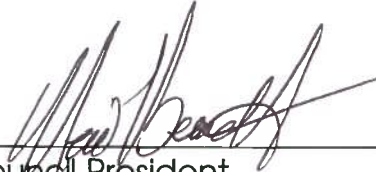
Section 3. The City Clerk shall forward a certified copy of this Ordinance to the County Treasurer for collection of the assessment in accord with C.R.S. § 31-20-105.

Section 4. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 5. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance shall be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this 22nd day of November, 2016.

Finally passed: December 13, 2016



Council President

Mayor's Action:

- Approved on December 15, 2016.
- Disapproved on _____, based on the following objections:



Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:



Sarah B. Johnson, City Clerk





I HEREBY CERTIFY, that the foregoing ordinance entitled “AN ORDINANCE ASSESSING COSTS FOR WORK PERFORMED IN BUILDING DEMOLITION AT 418 EAST CUCHARRAS STREET, CHARGING THE WORK AGAINST THE PROPERTY UPON WHICH THE WORK WAS DONE AND CERTIFYING THIS ASSESSMENT TO THE COUNTY TREASURER FOR COLLECTION AS A PRIORITY LIEN” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on November 22nd, 2016; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 13th day of December, 2016, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Transcript, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 13th day of December, 2016.





Sarah B. Johnson, City Clerk

1st Publication Date: November 25, 2016
2nd Publication Date: December 21, 2016

Effective Date: December 26, 2016

Initial: SBJ

City Clerk