

ORDINANCE NO. 21-

AN ORDINANCE ASSESSING COSTS FOR WORK PERFORMED IN BUILDING DEMOLITION AT 1326 WEST KIOWA STREET, CHARGING THE WORK AGAINST THE PRORERTY UPON WHICH THE WORK WAS DONE AND CERTIFYING THIS ASSESSMENT TO THE COUNTY TREASURER FOR COLLECTION AS A PRIORITY LIEN

WHEREAS, pursuant to the Regional Building Code, the property owner was notified by certified letter that the property owned was in violation of the Regional Building Code Dangerous Buildings Code (RBC112), as adopted by the City pursuant to City Code Section 7.10.102, 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; and

WHEREAS, the City Engineer has certified that the cost of abatement amounted to a total cost of \$55,701.00, including a twenty-five percent (25%) administrative surcharge as authorized pursuant to City Code Section 2.6.104; 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 1326 West Kiowa Street was in violation of Section RBC112 (Dangerous Buildings Code) of the Regional Building Code and further finds that the costs of abatement were proper and reasonable.

Sections 2. The costs of abatement in the amount of \$44,560.80, plus a twenty-five percent (25%) administrative surcharge in the amount of \$11,140.20 to defray inspection, collection, publication and other administrative expenses, representing a total assessment in the amount of **\$55,701.00**, is hereby levied, assessed and charged against the property located at 1326 West Kiowa Street, legally described as:

**LOT 7, EX W 25 FT OF N 25 FT MOSLEYS SUB OF SLY 150 FT OF BLK 54 WEST COLO SPGS 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 \_\_\_\_  
day of \_\_\_\_\_, 2021.

**Finally passed:** \_\_\_\_\_

\_\_\_\_\_

Council President

**Mayor's Action:**

- Approved on \_\_\_\_\_.
- Disapproved on \_\_\_\_\_, based on the following objections:

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\_\_\_\_\_  
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 POSTS FOR WORK PERFORMED IN BUILDING DEMOLITION AT 1326 WEST KIOWA 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 July 13, 2021; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the July 27, 2021, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, 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 \_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
City Clerk