

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2023

COUNCIL BILL NO. CB23-1428  
COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

**A BILL**

**For an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall Maintenance District A upon the real property, exclusive of improvements thereon, benefited.**

**BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

**Section 1.** Upon consideration of the recommendation of the Executive Director of the Department of Transportation and Infrastructure that an ordinance be enacted for the purpose of assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall Maintenance District A (“Broadway Pedestrian Mall A”), for the upcoming year, upon the real property, exclusive of improvements thereon, benefited, the Council finds, as follows:

(a) A local maintenance district providing for the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A, was created by Ordinance No. 839, Series of 1998;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A is \$65,700.00, which amount the Executive Director of the Department of Transportation and Infrastructure has the authority to expend for the purposes stated herein;

(c) The Executive Director of the Department of Transportation and Infrastructure has complied with all provisions of law relating to the publishing of notice to the owners of real properties to be assessed and to all persons interested generally, and the Council sitting as a Board of Equalization has heard and determined all written complaints and objections, if any, filed with the Executive Director of the Department of Transportation and Infrastructure;

(d) The portion of the annual costs for the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A to be assessed against the properties, exclusive of improvements thereon, benefited are \$57,042.33;

(e) The portion of the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A to be borne by the City and County of Denver is \$8,657.67; and

1 (f) The real property within the Broadway Pedestrian Mall A will be benefited in an amount  
2 equal to or in excess of the amount to be assessed against said property because of the continuing  
3 care, operation, repair, maintenance and replacement of said Broadway Pedestrian Mall A.

4 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and  
5 replacement of the Broadway Pedestrian Mall A to be assessed against the real properties, exclusive  
6 of improvements thereon, benefited are hereby approved.

7 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and  
8 replacement of the Broadway Pedestrian Mall A in the amount of \$57,042.33 are hereby assessed  
9 against the real properties, exclusive of improvements thereon, within said local maintenance district  
10 as follows:

11 NOTE: Where a series of lots is followed by "inclusive", the amount appearing after the series shall  
12 be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the amount  
13 appearing after such series shall be the assessment for each lot in the series.

14  
15 BROADWAY ADDITION TO BYERS SUBDIVISION  
16 BLOCK 3

17 Lots

18 11	\$1,014.18
19 12-20	\$845.14
20 12' Wide Strip Adjacent to Lot 11	\$405.68

21  
22 BLOCK 4

23 Lots

24 11-14	\$843.25
25 15 South 12.5 feet	\$422.57

26  
27 GREENWAY'S RESUBDIVISION OF BLOCK 36  
28 BLOCK 36

29 Lots

30 1	\$1,050.01
31 2-8	\$847.17

32  
33 POLK'S RESUBDIVISION OF BLOCK 33, BYERS SUBDIVISION  
34 BLOCK 33

35 Lots

36 1-9	\$845.14
37 10	\$1,047.99

38  
39

1	POLK'S RESUBDIVISION OF BLOCK 34, BYERS SUBDIVISION	
2	BLOCK 34	
3	Lots	
4	1-9	\$845.14
5	10	\$1,047.99
6		
7	RESUBDIVISION OF BLOCKS 1, 2 AND 3 GALLUP'S SOUTH BROADWAY	
8	SUBDIVISION	
9	Lots	
10	1	\$675.59
11	2-18	\$844.57
12	19	\$4,898.45
13		

14           **Section 4.** The assessments made pursuant hereto shall be a lien in the several amounts  
15 assessed against each lot or tract of land set forth in Section 3 herein, and such lien shall have the  
16 priority of the lien for local public improvement districts.

17           **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be due  
18 and payable on the first day of January of the year next following the year in which this assessing  
19 ordinance became effective, and said assessments shall become delinquent if not paid by the last  
20 day of February of the year next following the year in which this assessing ordinance became  
21 effective. A failure to pay said assessments as hereinabove set forth shall become a lien on the  
22 property subject to the assessment, and such lien may be sold by the City as provided by the Charter  
23 and ordinances of the City and County of Denver.

24           **Section 6.** Any unspent revenue and revenue generated through investment shall be  
25 retained and credited to the Broadway Pedestrian Mall Maintenance District A for future long term  
26 or program maintenance of the District.

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28                           **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**  
29  
30

1 COMMITTEE APPROVAL DATE: October 10, 2023 by Consent  
2 MAYOR-COUNCIL DATE: October 17, 2023  
3 PASSED BY THE COUNCIL: \_\_\_\_\_  
4 \_\_\_\_\_ - PRESIDENT  
5 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_  
6 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
7 EX-OFFICIO CLERK OF THE  
8 CITY AND COUNTY OF DENVER  
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_; \_\_\_\_\_  
10 PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: October 19, 2023  
11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the  
12 City Attorney. We find no irregularity as to form and have no legal objection to the proposed  
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §  
14 3.2.6 of the Charter.  
15  
16 Kerry Tipper, Denver City Attorney  
17  
18 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_