

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2023

COUNCIL BILL NO. CB23-1424
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 South Downing Street Pedestrian Mall Local Maintenance District 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 South Downing Street Pedestrian Mall Local Maintenance District (“South Downing Street Pedestrian Mall”), 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 South Downing Street Pedestrian Mall, was created by Ordinance No. 784, Series of 1992;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall is \$25,000.00, 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 South Downing Street Pedestrian Mall to be assessed against the properties, exclusive of improvements thereon, benefited are \$24,576.27;

(e) The portion of the annual costs of the continuing care, operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall to be borne by the City and County of Denver is \$423.73; and

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

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

8 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
9 replacement of the South Downing Street Pedestrian Mall in the amount of \$24,576.27 are hereby
10 assessed against the real properties, exclusive of improvements thereon, within said local
11 maintenance district as follows:

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

15
16 EVANSTON 2ND FILING

17 Block 33

18 Lots

19 18-19	\$423.73
20 North 1.0' Lot 20	\$16.96
21 South 24.0' Lot 20	\$406.78
22 21-23	\$423.73

23
24 BLOCK 56

25 Lots

26 1-7	\$423.73
27 8 Except South 14.0'	\$186.45
28 8 South 14.0'	\$237.29
29 9-23	\$423.73

30
31 MOUNTAIN VIEW PLACE 2ND FILING

32 Block 17

33 Lots

34 19-20	\$423.73
35 21-24	\$423.73

36
37 BLOCK 24

38 Lots

39 1-4	\$423.73
40 5-11	\$423.73
41 12-23	\$423.73

42

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

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

11 **Section 6.** Any unspent revenue and revenue generated through investment shall be
12 retained and credited to the South Downing Street Pedestrian Mall Local Maintenance District for
13 future long term or program maintenance of the District.

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16 **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**

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1 COMMITTEE APPROVAL DATE: October 10, 2023 by Consent

2 MAYOR-COUNCIL DATE: October 17, 2023

3 PASSED BY THE COUNCIL: October 30, 2023

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

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18 BY: Anshul Bagga, Assistant City Attorney DATE: Oct 19, 2023