

**BY AUTHORITY**

ORDINANCE NO.  
SERIES OF 2015

COUNCIL BILL NO. CB15-0816  
COMMITTEE OF REFERENCE:  
Infrastructure & Culture

**A BILL**

**For an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Welton 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 Public Works that an ordinance be enacted for the purpose of assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Welton 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 Welton Street Pedestrian Mall was created by Ordinance No. 788, Series of 1995;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Welton Street Pedestrian Mall is \$62,500.00 which amount the Executive Director of Public Works has the authority to expend for the purposes stated herein;

(c) The Executive Director of Public Works 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 Public Works;

(d) The Welton Street Pedestrian Mall currently has sufficient reserves to pay for \$7,000.00 of the 2016 annual costs of the continuing care, operation, repair, maintenance and replacement of the Welton Street Pedestrian Mall.

(e) The portion of the annual costs for the continuing care, operation, repair, maintenance and replacement of the Welton Street Pedestrian Mall to be assessed against the properties, exclusive of improvements thereon benefited are \$55,500.00.

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

4 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and  
5 replacement of the Welton Street Pedestrian Mall to be assessed against the real properties,  
6 exclusive 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 Welton Street Pedestrian Mall in the amount of \$55,500.00 are hereby  
9 assessed against the real properties, exclusive of improvements thereon benefited, within said  
10 local maintenance district as follows:

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

14 CASE AND EBERT'S ADDITION TO THE CITY OF DENVER

15 BLOCK 70

16 Lots

17 14-15, and Lot 16 exc N 19.3', inclusive	\$2,168.06
18 17, S 2/3 18 and N 19.3' 16, inclusive	\$2,321.91
19 19 and N 1/3 18, inclusive	\$1,269.50
20 20 and 21, inclusive	\$1,904.24
21 22-29	\$952.13

22

23 BLOCK 78

24 Lots

25 1-12	\$906.49
26 13	\$1,217.46
27 14-15	\$1,256.19

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29 PARK ADDITION TO DENVER

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31 BLOCK 70

32 Lots

33 17-18, inclusive	\$297.49
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35 BLOCK 151

36 Lots

37 27-32, inclusive	\$3,465.62
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39 STILES ADDITION TO THE CITY OF DENVER

40 BLOCK 151

41 Lots

42 17-19, inclusive	\$3,150.29
43 20	\$927.67
44 21-26, inclusive	\$5,565.96
45 27-32, inclusive	\$2,467.76

1	BLOCK 184	
2		
3	Lots	
4	4-8, inclusive	\$2,759.32
5	9-10	\$854.48
6	11-13, inclusive	\$2,563.45
7	14-16, inclusive	\$2,705.06

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

11           **Section 5.** Without demand, said assessments as set forth in Section 3 herein shall be  
12 due and payable on the first day of January of the year next following the year in which this  
13 assessing ordinance became effective, and said assessments shall become delinquent if not paid  
14 by the last day of February of the year next following the year in which this assessing ordinance  
15 became effective. A failure to pay said assessments as hereinabove set forth shall subject the  
16 property being assessed to sale as provided by the Charter of the City and County of Denver.

17           **Section 6.** Any unspent revenue shall be retained and credited to the Welton Street  
18 Pedestrian Mall Local Maintenance District for future long term or program maintenance of the  
19 District.

20 COMMITTEE APPROVAL DATE: October 29, 2015, by consent.

21 MAYOR-COUNCIL DATE: November 3, 2015

22 PASSED BY THE COUNCIL: \_\_\_\_\_, 2015  
23 \_\_\_\_\_ - PRESIDENT

24 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_, 2015

25 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
26 EX-OFFICIO CLERK OF THE  
27 CITY AND COUNTY OF DENVER

28 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_, 2015; \_\_\_\_\_, 2015

29 PREPARED BY: Jo Ann Weinstein, Assistant City Attorney                      DATE: November 5, 2015

30 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
31 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
32 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
33 §3.2.6 of the Charter.

34 D. Scott Martinez, City Attorney

35 BY: \_\_\_\_\_, Assistant City Attorney    DATE: \_\_\_\_\_, 2015