

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2023

COUNCIL BILL NO. CB23-1400
COMMITTEE OF REFERENCE:
4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance assessing the annual costs of the continuing care, operation,**
7 **repair, maintenance and replacement of the 15th Street Pedestrian Mall Local**
8 **Maintenance District upon the real property, exclusive of improvements**
9 **thereon, benefited.**

10
11 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

12 **Section 1.** Upon consideration of the recommendation of the Executive Director of the
13 Department of Transportation and Infrastructure that an ordinance be enacted for the purpose of
14 assessing the annual costs of the continuing care, operation, repair, maintenance and replacement
15 of the 15th Street Pedestrian Mall Local Maintenance District (“15th Street Pedestrian Mall”), for the
16 upcoming year, upon the real property, exclusive of improvements thereon, benefited, the Council
17 finds, as follows:

18 (a) A local maintenance district providing for the continuing care, operation, repair,
19 maintenance and replacement of the 15th Street Pedestrian Mall, was created by Ordinance No.
20 786, Series of 1992;

21 (b) The annual cost of the continuing care, operation, repair, maintenance and
22 replacement of the 15th Street Pedestrian Mall is \$26,684.62, which amount the Executive Director
23 of the Department of Transportation and Infrastructure has the authority to expend for the purposes
24 stated herein;

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

30 (d) The real property within the 15th Street Pedestrian Mall will be benefited in an amount
31 equal to or in excess of the amount to be assessed against said property because of the continuing
32 care, operation, repair, maintenance and replacement of said 15th Street Pedestrian Mall.

33 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and
34 replacement of the 15th Street Pedestrian Mall to be assessed against the real properties, exclusive
35 of improvements thereon, benefited are hereby approved.

1 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
 2 replacement of the 15th Street Pedestrian Mall in the amount of \$26,684.62 are hereby assessed
 3 against the real properties, exclusive of improvements thereon, within said local maintenance district
 4 as follows:

5 NOTE: Where a series of lots is followed by “inclusive”, the amount appearing after the series shall
 6 be the total for all lots in the series. Where a series of lots is not followed by “inclusive”, the amount
 7 appearing after such series shall be the assessment for each lot in the series.

8		
9	EAST DENVER	
10	BLOCK 12	
11	Lots	
12	1, except for the area bounded by the northwesterly lot line of Lot 1	\$1,874.71
13	and a line parallel to this line and located 18' to the southeast of said line.-	
14	30	\$2,190.14
15	Vacated Alley adjacent to Lots 1 and 30	\$280.34
16		
17	BLOCK 13	
18	Lots	
19	16-17	\$2,190.14
20	That portion of 15 th Street (vacated) lying between the southwesterly	
21	line of Lots 16 and 17 extended and the vacated alley in Block 13	
22	and a line 10' southwesterly of and parallel with said lines	\$280.34
23		
24	That portion of Wewatta Street (vacated) lying between the northwesterly	
25	line of Lot 16, Block 13, the northwesterly line of said Lot extended	
26	southwesterly a distance of 10' and a line 8.5' northwesterly of and	
27	parallel with said lines.	\$148.93
28		
29	BLOCK 16	
30	Lots	
31	16	\$2,190.14
32	17	\$2,190.14
33		
34	BLOCK 17	
35	Lots	
36	1	\$2,190.14
37	32	\$2,190.14
38		
39	BLOCK 18	
40	Lots	
41	1	\$2,194.52
42	32	\$2,194.52
43		
44		
45	BLOCK 19	
46	Lots	
47	16	\$2,190.14
48	17	\$2,190.14

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 15th Street Pedestrian Mall Local Maintenance District for future long
13 term or program maintenance of the District.

14
15 COMMITTEE APPROVAL DATE: October 10, 2023 by Consent

16 MAYOR-COUNCIL DATE: October 17, 2023

17 PASSED BY THE COUNCIL: _____
18 _____ - PRESIDENT

19 APPROVED: _____ - MAYOR _____

20 ATTEST: _____ - CLERK AND RECORDER,
21 EX-OFFICIO CLERK OF THE
22 CITY AND COUNTY OF DENVER

23 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

24 PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: October 19, 2023

25 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
26 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
27 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
28 3.2.6 of the Charter.

29
30 Kerry Tipper, Denver City Attorney

31
32 BY: *Anshul Bagga* _____, Assistant City Attorney DATE: Oct 18, 2023