BY AUTHORITY

ORDINANCE NO. _____ COUNCIL BILL NO. CB22-1231

SERIES OF 2022 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 East 13th Avenue 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 East 13th Avenue Pedestrian Mall Local Maintenance District ("East 13th Avenue 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 East 13th Avenue Pedestrian Mall, was created by Ordinance No. 134, Series of 1996;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the East 13th Avenue Pedestrian Mall is $47,000.00, 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; and

(d) The real property within the East 13th Avenue Pedestrian Mall will be benefited in an amount equal to or in excess of the amount to be assessed against said property because of the continuing care, operation, repair, maintenance and replacement of said East 13th Avenue Pedestrian Mall.

Section 2. The annual cost of the continuing care, operation, repair, maintenance and replacement of the East 13th Avenue Pedestrian Mall to be assessed against the real properties, exclusive of improvements thereon, benefited are hereby approved.

Section 3. The annual costs of the continuing care, operation, repair, maintenance and replacement of the East 13th Avenue Pedestrian Mall in the amount of $47,000.00 are hereby assessed against the real properties, exclusive of improvements thereon, within said local maintenance district as follows:

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

H.C. BROWN’S 2ND ADDITION TO DENVER, COLORADO	
BLOCK 65	
Lots	
West 60' Lots 1-4, inclusive	$1,387.46
East 65' Lots 1-4 & Adjacent strip of land, inclusive	$1,828.63
BLOCK 66	
Lots	
20 & Adjacent strip of land, inclusive	$3,312.00
J.W. SMITH’S ADDITION TO DENVER	
BLOCK 65	
Lot	
40	$2,890.85
BLOCK 66	
Lot	
21	$2,890.85
BLOCK 79	
Lots	
1	$2,890.85
40	$2,890.85
BLOCK 80	
Lots	
20-21	$2,890.85
BLOCK 83	
Lots	
20-21	$2,890.85

BLOCK 84	
Lots	
1	$2,890.85
40	$2,890.85
BLOCK 89	
Lots	
1	$2,890.85
40	$2,890.85
BLOCK 90	
Lots	
20-21	$2,890.85

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

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

Section 6. Any unspent revenue and revenue generated through investment shall be retained and credited to the East 13th Avenue Pedestrian Mall Local Maintenance District for future long term or program maintenance of the District.

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COMMITTEE APPROVAL DATE: October 04, 2022 by Consent

MAYOR-COUNCIL DATE: October 18, 2022

PASSED BY THE COUNCIL: _____

_____ - PRESIDENT

APPROVED: _____ - MAYOR _____

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

NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: October 20, 2022

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

Kristin M. Bronson, Denver City Attorney

BY: _____, Assistant City Attorney DATE: _____