



Legislation Text

File #: 21-0770, Version: 1

**Other/Miscellaneous Request Template (Appointments; ROW; Code Changes; Zoning Action, etc.)**

**Date Submitted:** 7-5-21

**Requesting Agency:** Department of Public Health and Environment  
**Division:**

**Subject Matter Expert Name:**

Name: Bob McDonald & Will Fenton
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**Item Title & Description:**

*(Do not delete the following instructions)*

*These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence description. Upon bill filling, the City Attorney's Office should enter the title above the description (the title should be in **bold** font).*

*Both the title and description must be entered between the red "title" and "body" below. Do **not** at any time delete the red "title" or "body" markers from this template.*

**A bill for an ordinance amending the maximum fines that may be assessed by the Denver Department of Public Health and Environment.**

Amends Article XII of Chapter 2 and Article I of Chapter 24 of the Denver Revised Municipal Code to increase the maximum fines that may be assessed by the Denver Department of Public Health and Environment to \$5,000 and to allow for administrative citations to be sent via first class mail. The Committee approved filing this item at its meeting on 7-14-21.

**Affected Council District(s) or citywide?** Citywide

**Executive Summary with Rationale and Impact:**

*Detailed description of the item and why we are doing it. This can be a separate attachment.*

D.R.M.C. § 24-5 sets a maximum civil penalty of \$999 for certain public and environmental health violations. In the other cities studied by DDPHE, the average maximum fine across all categories is approximately \$5,500. Increasing the maximum fine amount to \$5,000 will allow for more flexible fine schedules across different industry types, encourage greater compliance and avoid court and associated expenses for the department and the city.

Section 2-284 of the DRMC sets forth delivery allowances for administrative citations. The proposed revisions clarify that administrative citations may be delivered via first class mail. The Colorado Department of Public Health & Environment and all local health agencies in Colorado operating under their delegated authority already serve administrative citations via first class mail. This is the standard practice across many government agencies.

**Address/Location (if applicable):**

**Legal Description (if applicable):**

**Denver Revised Municipal Code (D.R.M.C.) Citation (if applicable):**

**Draft Bill Attached?**