



## Legislation Details (With Text)

**File #:** 19-0307 **Version:** 1

**Type:** Bill **Status:** Passed

**File created:** 3/26/2019 **In control:** Safety, Housing, Education & Homelessness Committee

**On agenda:** 4/22/2019 **Final action:** 4/22/2019

**Title:** A bill for an ordinance amending Article II of Chapter 37, Public Nuisance Offenses, by updating certain ordinance and statute references, and amending Article III of Chapter 37, Civil Abatement of Public Nuisances, by revising certain provisions concerning the procedure to be followed in nuisance abatement proceedings.  
Amends Chapter 37 of the Denver Revised Municipal Code to revise certain nuisance abatement proceedings and update certain related ordinance and statute references. The Committee approved filing this item at its meeting on 4-3-19.

**Sponsors:**

**Indexes:** Emily Lapel

**Code sections:**

**Attachments:** 1. BR19 0307 CAO Nuisance Ordinance Draft Language.pdf, 2. BR19 0307 CAO Nuisance Ordinance.pdf, 3. Safety Committee Nuisance Presentation, 4. 19-0307.pdf, 5. 19-0307\_Filed Bill CAO Nuisance Ordinance.pdf, 6. 19-0307 - signed.pdf, 7. 19-0307 Filed bill for an ordinance amending Article II of Chapter 37, Public Nuisance Offenses, by updating certain ordinance and statute references, and amending Article

Date	Ver.	Action By	Action	Result
4/23/2019	1	Mayor	signed	
4/23/2019	1	Council President	signed	
4/22/2019	1	City Council	placed upon final consideration and do pass	Pass
4/15/2019	1	City Council	ordered published on first reading	
4/3/2019	1	Safety, Housing, Education & Homelessness Committee	approved for filing	Pass

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

**Date Submitted:** 3-26-19

**Requesting Agency:** City Attorney's Office  
**Division:**

**Subject Matter Expert:** Marley Bordovsky  
**Email Address:** Marley.bordovsky@denvergov.org

**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 filing, 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 Article II of Chapter 37, Public Nuisance Offenses, by updating certain ordinance and statute references, and amending Article III of Chapter 37, Civil Abatement of Public Nuisances, by revising certain provisions concerning the procedure to be followed in nuisance abatement proceedings.**

Amends Chapter 37 of the Denver Revised Municipal Code to revise certain nuisance abatement proceedings and update certain related ordinance and statute references. The Committee approved filing this item at its meeting on 4-3-19.

**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.*

The City's nuisance abatement ordinance hasn't undergone any significant review and revision in more than a decade. Over the years, we have come to understand that some provisions of the ordinance can be inflexible and uncompromising, leaving little room for prosecutorial or judicial discretion and creating perceived inequities in the process. The proposed amendments will build some flexibility into the process, increase the burden of proof at trial, allow for a measure of judicial discretion upon a showing of good cause, dispense with the collection of fees in certain circumstances, and impose mandatory bi-annual reporting to city council.

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

**Legal Description (if applicable):**

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

**Draft Bill Attached?**