

EXPLANATORY COVER SHEET

COUNCILMAN'S BILL NO. CB-1548

SPONSOR: COUNCIL MEMBER LINDSEY

TITLE: A BILL FOR AN ORDINANCE AMENDING SECTION 20-2-1 OF THE MUNICIPAL CODE OF THE CITY OF NORTHGLENN RELATING TO REGISTRATION OF NON-RESIDENT RESIDENTIAL PROPERTY OWNERS.

PURPOSE: THIS AMENDMENT TO THE SECTION OF THE MUNICIPAL CODE GOVERNING REGISTRATION OF NON-RESIDENT LANDLORDS WOULD REQUIRE ANY LANDLORD NOT RESIDING AT THE PROPERTY IN QUESTION TO REGISTER WITH THE CITY. THE CURRENT ORDINANCE REQUIRES SUCH REGISTRATION ONLY AS TO LANDLORDS NOT RESIDING OR MAINTAINING AN OFFICE IN ADAMS COUNTY OR DENVER. ADDITIONALLY IT REQUIRES LANDLORDS TO UPDATE THEIR REGISTRATION STATEMENTS UPON ANY CHANGE IN OWNERSHIP OR CONTACT INFORMATION AND TO CONFIRM THE ACCURACY OF THEIR REGISTRATION STATEMENT EVERY FIVE YEARS. FINALLY, THE AMENDMENT EXPANDS THE POWER TO COLLECT UNPAID PENALTIES FROM SOLELY ACTIONS IN THE DISTRICT COURT TO ANY MEANS ALLOWED BY LAW.

ADDITIONAL EXPLANATORY REMARKS:

SPONSORED BY: COUNCILMEMBER LINDSEY

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1548

Series of 2006

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A BILL FOR AN ORDINANCE AMENDING SECTION 20-2-1 OF THE MUNICIPAL CODE OF THE CITY OF NORTHGLENN RELATING TO REGISTRATION OF NON-RESIDENT RESIDENTIAL PROPERTY OWNERS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 20-2-1 of the Municipal Code of the City of Northglenn is hereby amended to read as follows:

Section 20-2-1. Registration of Owners and Agents.

(a) ~~By December 31, 1985~~ Every non-resident owner of a dwelling unit within the City whether occupied or vacant shall file a registration statement on a form to be provided by the ~~Director of Community Development~~ CITY MANAGER or his designee (hereinafter referred to as the "Manager") for each unit for which he is receiving or is entitled to receive rent. A non-resident owner is any natural person who does not maintain HIS OR HER a principal residence AT THE DWELLING UNIT IN QUESTION ~~within the County of Adams or the City and County of Denver or any corporation or partnership whose principal offices and/or agent for service is not located within the County of Adams or the City and County of Denver.~~ THE REGISTRATION STATEMENT REQUIRED BY THIS SECTION SHALL BE UPDATED TO INCLUDE CURRENT INFORMATION WITHIN THIRTY (30) DAYS FOLLOWING ANY CHANGE OF OWNERSHIP, BUSINESS NAME, ADDRESS OR TELEPHONE NUMBER. NOT LESS OFTEN THAT ONCE EVERY FIVE (5) YEARS EACH NON-RESIDENT OWNER SHALL PROVIDE WRITTEN CONFIRMATION ON A FORM PROVIDED BY THE MANAGER THAT THE INFORMATION CONTAINED IN THE REGISTRATION STATEMENT ON FILE WITH THE CITY IS CURRENT.

(b) Registration shall contain the following information:

(1) A description of the premises held for rental by street number or otherwise, in such a manner as to enable the ~~Director~~ MANAGER to find the same.

(2) The name and address of the owner of record, and, in addition, if the owner is a corporation, the name and address of the registered agent of said corporation.

(3) The name, business address, and telephone number of a natural person 18 years of age or older, who is customarily present in an

office or resides within Adams County or the City and County of Denver (or otherwise within 25 miles of the boundary of the City of Northglenn) for the purpose of transacting business, and who shall be designated by the owner as his authorized agent for receiving notices of violations of the Housing Code, Building Code, Fire Code, Nuisance Ordinance or Zoning Ordinance, or any other Ordinance of the City for receiving Court process on behalf of such owner in connection with the enforcement of ordinances relating to such unit.

(c) Penalties.

(1) Any person who fails to register as required by Section 20-2-1(a) shall be subject to a civil penalty of not more than Three Hundred Dollars (\$300.00) per day for each day said person remains unregistered up to a total of Fifteen Thousand Dollars (\$15,000.00). If a person is in compliance with 20-2-1(a) at the time of the hearing, as provided in 20-2-1(c)(2), and it is the first time that said person has filed to register under Section 20-2-1(a), the penalty shall not exceed Three Hundred Dollars (\$300.00).

(2) Penalties shall be determined by the ~~Director~~ MANAGER after a hearing as to propriety and amount thereof. The ~~Director~~ MANAGER shall consider the history of violations, the appropriateness of such penalty to the size of the business of the owner, whether the owner was negligent, the effect of the owner's ability to continue in business, the gravity of the violation, and the demonstrated good faith of the owner in attempting to achieve rapid compliance after notification of a violation.


(3) If not paid, penalties may be collected by the ~~Director~~ MANAGER BY ANY MEANS ALLOWED BY LAW, INCLUDING BUT NOT LIMITED TO AN ~~by~~ action initiated in the district court for collection of such penalty.

(d) The ~~Director~~ MANAGER must be notified of any change in the designated authorized agent or owner no later than ten (10) days after the change.

INTRODUCED, READ AND ORDERED POSTED this 23rd day of September, 2006.


KATHLEEN M. NOVAK
Mayor

ATTEST:


DIANA L. LENTZ, CMC
City Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____,
2006.

KATHLEEN M. NOVAK
Mayor

ATTEST:

DIANA L. LENTZ, CMC
City Clerk

APPROVED AS TO FORM:

Cory T. Hoff

City Attorney