



CITY CLERK'S OFFICE MEMORANDUM
#18-2019

DATE: October 28, 2019

TO: Honorable Mayor Antonio B. Esquibel and City Council Members

THROUGH: Heather Geyer, City Manager 

FROM: Johanna Small, City Clerk 

SUBJECT: CR-121 – Certification of Delinquent Nuisance Abatement Charges; and
CR-122 – Certification of Delinquent Water and Sewer Charges

PURPOSE:

To consider resolutions to authorize the City to certify delinquent nuisance abatement and utility account charges to the Adams County Treasurer to be collected and remitted to the City as special assessments.

BACKGROUND:

The City Clerk's Office files liens against certain properties at the request of Code Enforcement and Utility Billing for amounts due to the City for past due property abatement fees and water and sewer utility accounts.

C.R.S. § 31-20-105 authorizes municipalities to certify delinquent charges to the County Treasurer for collection if the municipality has adopted an enabling ordinance to do so. The City has adopted ordinances that allow for the certification of these types of charges. Once the amounts are certified, the County Treasurer assigns these special assessments to the property accounts and collects the amounts in addition to the annual property taxes. The County then remits payment, less their fee of 1.5%, to the City on a monthly basis. The property liens are released by the City upon receipt of full payment.

The annual certification process provides an opportunity for the City to collect on the amounts due through the County's special assessment process. If the accounts are not certified to the County Treasurer, the delinquent charges might not be paid to the City until the property changes ownership and the title is cleared during the sales transaction.

STAFF RECOMMENDATION:

Attached to this memorandum are resolutions which, if approved, would certify a total of 5 delinquent charges: 2 nuisance abatement liens and 3 utility liens to the Adams County Treasurer. Staff recommends approval of CR-121 and CR-122.

BUDGET/TIME IMPLICATIONS:

The City is required to submit the lists of accounts to be certified to the County Treasurer by November 30, 2019. If the attached resolutions are approved and the special assessments are paid in 2020, \$5,941.95 could be remitted to the City from the County Treasurer for the delinquent charges collected.

If the delinquent accounts are not certified to the County, the amounts due will not be collected as special assessments in 2020. The liens that have been filed against the properties to secure the charges will remain in place until the amounts due have been paid by the property owners.

CR-121 – Certification of Delinquent Nuisance Abatement Charges

CR-122 – Certification of Delinquent Water and Sewer Charges

October 28, 2019

Page 2 of 2

STAFF REFERENCE:

Please contact Johanna Small, City Clerk at jsmall@northglenn.org or 303.450.8757 with any questions or comments.

CR-121 – Certification of Delinquent Nuisance Abatement Charges

CR-122 – Certification of Delinquent Water and Sewer Charges

SPONSORED BY: MAYOR ESQUIBEL

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-122
Series of 2019

Series of 2019

A RESOLUTION CERTIFYING DELINQUENT WATER AND SEWER CHARGES TO THE ADAMS COUNTY TREASURER FOR COLLECTION PURSUANT TO C.R.S. SECTION 31-20-105

WHEREAS, C.R.S. Section 31-20-105 authorized municipalities to certify delinquent charges to the county treasurer for collection and provides as follows:

C.R.S. 31-20-105. Municipality may certify delinquent charges. Any municipality, in addition to the means provided by law, if by ordinance it so elects, may cause any or all delinquent charges, assessments, or taxes made or levied to be certified to the treasurer of the county in the same manner as the taxes are authorized to be by this title; and

WHEREAS, Section 16-10-6(i) of the Municipal Code specifically authorizes the City of Northglenn to certify unpaid utility charges to the Adams County Treasurer for collection, providing as follows:

Section 16-10-6(i). The City shall have as security for collection of all utilities charges, a lien upon the real property served. The lien shall become effective upon supplying of water utility services and/or billing of capital charge, trash collection/removal, and other associated rates, penalties and charges. The lien shall not be discharged until payment of all utilities charges. In order to preserve any lien created by operation of this ordinance, the City shall file for record a lien statement in the office of Adams County Clerk and Recorder, at any time before the expiration of five months after the day in which a bill for utilities charges becomes delinquent as defined by this Article. All liens created and perfected by virtue of this ordinance shall relate back to and take effect as of the time that utilities services are first provided to or billed for, respectively, the real property. Such lien shall be enforceable against any person acquiring an interest in such real property. Liens which are created by this ordinance, but not perfected, shall be enforceable against any person, with an interest in the real property subject to the lien, that has notice of such lien. In the event the lien provided by this section is not discharged by payment, the City Manager shall report the delinquency to the City Council and the City Council shall be authorized to collect the delinquent charges, rates and penalties by certification of such delinquency with the Adams County Treasurer and collected as all other taxes as authorized by C.R.S. 31-20-101 to 107 as amended; and

WHEREAS, the City Council of the City of Northglenn wishes to avail itself of these provisions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The delinquent utility charges set forth in Exhibit A, attached hereto, are hereby certified to the Adams County Treasurer to be collected and paid over by the Treasurer in the same manner as other taxes pursuant to C.R.S. Section 31-20-105 and Section 16-10-6(i) of the Municipal Code of the City of Northglenn, Colorado.

DATED, at Northglenn, Colorado, this _____ day of _____ 2019.

ANTONIO B. ESQUIBEL
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

**2019 Lien Certification Properties
Utility Accounts**

Owner of Record: Gifty S. Bonsu
Street Address: 11837 Grant Street
Legal Description: Lot 7, Block 3, Northglenn 27th Filing
Parcel No.: 0171903115015
Account No.: R0030495
Amount: \$1,185.77

Owner of Record: Alecia Kay Shamy
Street Address: 10997 Alvin Drive
Legal Description: Lot 14, Block 16, Northglenn 9th Filing
Parcel No.: 0171911216016
Account No.: R0038133
Amount: \$1,301.62

Owner of Record: Ernest G. Vigil, Vera Vigil, and Joseph G. Vigil
Street Address: 11307 Larson Lane
Legal Description: Lot 47, Block 27, Northglenn 18th Filing
Parcel No.: 0171902317034
Account No.: R0029279
Amount: \$2,506.65