



CITY CLERK'S OFFICE MEMORANDUM
#16-03

October 24, 2016

TO: Honorable Mayor Joyce Downing and City Council Members

FROM: James A. Hayes, AICP, City Manager 
Johanna Small, City Clerk 

SUBJECT: CR-112 – Certification of Delinquent Municipal Charges;
CR-113 – Certification of Delinquent Nuisance Abatement Charges; and
CR-114 – Certification of Delinquent Water and Sewer Charges

RECOMMENDATION:

Attached to this memorandum are resolutions which, if approved, would authorize the City to certify delinquent municipal, nuisance abatement, and water and sewer charges to the Adams County Treasurer to be collected as special assessments with property taxes and paid to the City. Staff recommends approval of the proposed resolutions.

BACKGROUND:

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 charges in addition to the 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.

A total of 31 delinquent charges (12 administrative citation liens; 14 nuisance abatement liens; and 5 utility liens) are proposed to be certified. Properties may have multiple administrative citation and nuisance abatement liens. A notice was sent to every property owner regarding the City's intent to certify the delinquent amounts due. The property owners were given a deadline of October 14, 2016 to pay the charges and avoid a 10% fee, which is added as part of the certification process by ordinance.

BUDGET/TIME IMPLICATIONS:

The City is required to submit the lists of accounts to be certified to the County Treasurer by November 30, 2016. If the attached resolutions are approved and the special assessments are paid in 2017, \$16,116.73 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 by the County Treasurer. 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 owner.

STAFF REFERENCE:

Please contact Johanna Small, City Clerk at jsmall@northglenn.org or 303-450-8757 with any questions or comments.

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-114
Series of 2016

Series of 2016

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.

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 _____ 2016.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

**2016 Lien Certification Properties
Utility Accounts**

Owner of Record: George J. Perez
Street Address: 3002 E. 110th Drive
Legal Description: Lot 15, Block 2, Fox Run Filing No. 11
Parcel No.: 0171912212015
Acct. No.: R0120732
Amount: \$233.97

Owner of Record: Alecia Kay Shamy
Street Address: 10997 Alvin Drive
Legal Description: Lot 14, Block 16, Northglenn 9th Filing
Parcel No.: 0171911216016
Acct. No.: R0038133
Amount: \$1,297.32

Owner of Record: Robert M. Brinton
Street Address: 11877 Keough Drive
Legal Description: Lot 24, Block 55, Northglenn 22nd Filing
Parcel No.: 0171902205023
Acct. No.: R0028494
Amount: \$1,294.33

Owner of Record: Lee Anthony
Street Address: 11382 Lafayette Street
Legal Description: Lot 1, Block 22, Northglenn 18th Filing
Parcel No.: 0171902319001
Acct. No.: R0029329
Amount: \$535.98

Owner of Record: Francis P. Slumski
Street Address: 11713 Quam Drive
Legal Description: Lot 22, Block 49, Northglenn 22nd Filing
Parcel No.: 0171902212022
Acct. No.: R0028635
Amount: \$411.86