

**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 *hmg*

**FROM:** Johanna Small, City Clerk *JS*

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

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**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

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**STAFF REFERENCE:**

Please contact Johanna Small, City Clerk at [jsmall@northglenn.org](mailto: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-121  
Series of 2019

\_\_\_\_\_  
Series of 2019

A RESOLUTION CERTIFYING DELINQUENT NUISANCE ABATEMENT 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 9-11-12 of the Municipal Code specifically authorizes the City of Northglenn to certify unpaid nuisance charges to the Adams County Treasurer for collection, providing as follows:

Section 9-11-12. Recovery of Expense of Abatement. Upon the expiration of the period of notice provided in Section 9-11-7 or at any time thereafter, if the nuisance has not been abated on the property described in such notice, the City of Northglenn may enter upon such property and abate the nuisance pursuant to the provisions of this ordinance, and actual costs thereof, including five percent (5%) for inspection, a minimum fee assessment of twenty-five dollars (\$25.00) and other incidental costs in connection therewith, shall be assessed upon the lot or lots or tracts of land in the City of Northglenn upon which such nuisance is abated. Such assessment shall be made pursuant to the procedures provided by law in the ordinances of the City of Northglenn for special assessments. Every such assessment shall be a lien in the several amounts assessed against such lot or tract of land until paid, and shall have priority over all other liens, except general taxes and prior special assessments. In case any assessment is not paid within thirty (30) days after the same have been certified to the City Clerk by the City Council, the City Clerk shall then be and is hereby authorized to certify to the County Treasurer of the County in which the property is located, the list of all delinquent assessments, giving the name of the owner as appears of record, the number of lot, block and subdivision, or other legal descriptions sufficient to identify such property upon the records of the said County Treasurer, and the amount of assessment. Said certification shall be the same in substance and in the same form as required for the certification of special assessment, and the County Treasurer, upon the receipt of such certified list is hereby authorized to place the same upon the tax list for the current year and to collect the special assessment in the same manner as other taxes are collected with a ten

percent (10%) penalty thereon; and all the laws of the State for the assessment and collection of general taxes, including the laws for the sale of property for taxes and the redemption thereof, shall apply to and have full force and effect for the collection of such assessments; 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 nuisance abatement 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 9-11-12 of the Municipal Code of the City of Northglenn, Colorado.

DATED, at Northglenn, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

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ANTONIO B. ESQUIBEL  
Mayor

ATTEST:

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JOHANNA SMALL, CMC  
City Clerk

APPROVED AS TO FORM:

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COREY Y. HOFFMANN  
City Attorney

**2019 Lien Certification Properties  
Nuisance Abatement Charges**

Owner of Record: Motospa of Northglenn, LLLP  
Street Address: N/A  
Legal Description: DESC: Tract A, Bunker Hill Village Subdivision Filing No. 3  
Parcel No.: 0157336315002  
Account No.: R0173573  
Amount: \$1,038.40