



CITY CLERK'S OFFICE MEMORANDUM
#15-03

October 26, 2015

TO: Honorable Mayor Joyce Downing and City Council Members

FROM: David H. Willett, Acting City Manager 
Johanna Small, City Clerk 

SUBJECT: CR-127, Certification of Delinquent Municipal Charges;
CR-128, Certification of Delinquent Nuisance Abatement Charges; and
CR-129, 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%, to the City on a monthly basis. The property liens are released by the City upon receipt of full payment.

A total of 39 delinquent charges (23 administrative citation liens; 7 nuisance abatement liens; and 9 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 September 30, 2015 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, 2015. If the attached resolutions are approved and the special assessments are paid in 2016, \$19,341.95 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 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-128
Series of 2015

Series of 2015

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 (5) percent for inspection, a minimum fee assessment of twenty-five (\$25.00) dollars 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.

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 _____ 2015.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

EXHIBIT A

2015 Lien Certification Properties Nuisance Abatements

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
Acct. No.: R0173573
Amount: \$1,715.18

Owner of Record: Xiang Su
Street Address: 1169 W. 102nd Avenue
Legal Description: Lot 18, Block 21, Hefbler Homes Hillcrest 2nd Filing
Parcel No.: 0171916109016
Acct. No.: R0042675
Amount: \$241.68

Owner of Record: Yvonne Lehman
Street Address: 721 W. 118th Avenue
Legal Description: Lot 11, Block 1, Huron Heights 1st Filing
Parcel No.: 0171903202005
Acct. No.: R0030755
Amount: \$565.95

Owner of Record: The Peter Erlandson Trust
Street Address: 1251 Beth Lane
Legal Description: Lot 18, Block 19, Northglenn 16th Filing
Parcel No.: 0171909108013
Acct. No.: R0035058
Amount: \$343.38

Owner of Record: Edward C. Lopez
Street Address: 11772 Galapago Court
Legal Description: Lot 12, Block 3, Huron Heights 1st Filing
Parcel No.: 0171903204003
Acct. No.: R0030777
Amount: \$739.20

Owner of Record: Emmagene Thomas
Street Address: 280 Leonard Lane
Legal Description: Lot 32, Block 29, Northglenn 2nd Filing
Parcel No.: 0171910117028
Acct. No.: R0036612
Amount: \$450.45