

ORDINANCE NO. 241

AN ORDINANCE AMENDING IN ITS ENTIRETY ORDINANCE 213 PROVIDING FOR THE REMOVAL OF WEEDS, BRUSH AND RUBBISH

WHEREAS, weeds, brush and rubbish accumulate from time to time on property located within the municipal limits of the Town of Sugar City; and

WHEREAS, such weeds, brush and rubbish create fire hazards, harbor rodents and insects, visually degrade the community, and adversely affect the value of neighboring property ; and

WHEREAS, such weeds, brush and rubbish constitute a serious health and safety issue for the Town of Sugar City.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUGAR CITY, COLORADO:

1. Responsibility for Removal of Weeds, Brush, and Rubbish. It shall be the duty of every person, firm or corporation owning, occupying, or using any lot or property, including the sidewalk area in front of and the alley behind such lot or property, to remove all weeds, brush, and rubbish therefrom.

2. Removal Required. Every person, firm or corporation shall remove all weeds, brush, and rubbish from the lot or property, sidewalk area in front of and the alley behind the lot or property, and shall keep such lot or property free from such weeds, brush, and rubbish at all times during the year.

3. Notice of Failure to Remove Weeds and Rubbish. If such weeds, brush and rubbish are not removed from the lot or property, the Town of Sugar City Fire Chief, Marshal, Code Enforcement Officer, Mayor or any of their authorized designees may serve notice of such failure.

a. The notice shall be complete upon any of the following:

- I. Personal service of the notice upon any resident, person, firm or corporation; or
- II. Handing the same to any resident fifteen (15) years of age or over at the premises; or
- III. Affixing the notice to the door of any improvement or building on the premises; or
- IV. Posting the notice in a conspicuous place on the property; or
- V. Where the property is unimproved, posting the same in a conspicuous place on the property.

b. The notice shall contain the following information:

- I. The date the notice is issued; and
- II. The common address or legal description of the premises or both; and
- II. The following statement:

A. "You are hereby advised that where the weeds, brush and rubbish are not removed from the premises located at the above described premises within five (5) days after notice that the Town of Sugar City, Colorado may remove the weeds, brush and rubbish at the expense of the property, property owner, possessor or user. Town of Sugar City Ordinance Number 241 provides that the Town of Sugar City shall charge twenty-five dollars (\$25.00) per man-hour for removal, plus an administrative fee of one-hundred dollars (\$100.00); plus equipment costs at standard billed rates then in effect, plus an inspection fee of five percent (5.0%) of the total costs set forth above."

III. The signature of the Town of Sugar City Fire Chief, Marshal, Code Enforcement Officer, Mayor or any of their authorized designees.

4. Removal by Town and Recording of Removal Costs. Where, after the five day period provided in the Notice, the Town of Sugar City proceeds to remove such weeds, brush or rubbish from the premises, the Town shall assess the entire cost of removal to the person, firm or corporation who owns, possesses or occupies such property. The costs shall include the following:

- a. Twenty-five dollars (\$25.00) per man-hour for removal; and
- b. An administrative fee of one-hundred dollars (\$100.00); and
- c. Equipment costs at standard billed rates; and
- d. An inspection fee of five percent (5.0%) of the costs listed in a, b and c above.

5. Assessment Shall be A Lien on the Property; Notification in Newspaper. The amount of such assessments shall be a lien on the property and notice thereof shall be given by publication once in a newspaper of general circulation in the Town of Sugar City, Colorado. The notice shall contain a description of the property upon which the lien is claimed, the name of the owner, pursuant to the records of the County of Crowley, and the amount of the lien.

6. Penalty for Non-Payment. If the assessment is not paid within sixty (60) days, the same may be certified by the Town Clerk to the County Treasurer for collection, together with a ten percent (10%) penalty, in the same manner as taxes are collected.

7. Unlawfulness. It shall be unlawful for any person, firm or corporation owning, occupying, or using any lot or property to allow weeds, brush, or rubbish to accumulate


on said lot or property including the sidewalk area in front of and the alley behind the lot or property.

8. Violation. In addition to the notice and penalty provisions set forth above, any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Ordinance is committed, continued, or permitted, and upon conviction of any such violations such person shall be punishable by a fine of not more than \$1,000.

9. Conflicts. To the extent that any conflict exists between this ordinance and any previously adopted ordinance, all previously adopted ordinances are hereby amended to the extent necessary to conform to this ordinance.

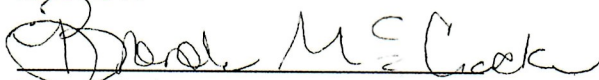
10. Emergency Clause. The Town of Sugar City Town Board hereby declares that an emergency exists and that this Ordinance is necessary to the immediate preservation of the public peace, health, and safety and that it shall be in full force and effect upon final publication as provided by law.

INTRODUCED, READ IN FULL, PASSED, ADOPTED AND ORDERED
PUBLISHED THIS 25 DAY OF May, 2005.



Mayor

ATTEST:



Town Clerk