

ORDINANCE NO. 1141

AN ORDINANCE AMENDING SECTIONS 1, 4 AND 5 OF CHAPTER 81 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, SUCH CHAPTER CONCERNING IMPROVEMENT DISTRICTS WITHIN THE CITY, TO PERMIT THE CITY COUNCIL TO USE THE PROCEDURES OF ARTICLE 4 OF CHAPTER 89 OF THE 1953 COMPILED STATUTES OF THE STATE OF COLORADO FOR THE CREATION OF IMPROVEMENT DISTRICTS; AND TO ALTER THE PROCEDURES ON ASSESSMENT FOR STREET AND ALLEY INTERSECTIONS WITHIN THE CITY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

Section 1. That Section 1 of Chapter 81 of the 1953 Compiled Ordinances of the City of Grand Junction be amended to read as follows:

Section 1. CITY MAY ORGANIZE PUBLIC IMPROVEMENT DISTRICT. The City shall have power to make local improvements, and to assess the cost thereof wholly or in part upon the property especially benefited, as herein after provided. All public improvements shall be constructed in accordance with the charter, ordinances and specifications prescribed by the Council, and shall be authorized by resolution. In addition to the methods and procedures for the formation of Improvement Districts, as hereinafter set out in this Chapter, the Council may follow those methods and procedures for the formation of such Districts as the same are set out in the 1953 Colorado Revised Statutes, and, in particular as set out in Article 4 of Chapter 89 thereof.

Section 2. That Section 4 of Chapter 81 of the 1953 Compiled Ordinances of the City of Grand Junction be amended to read as follows:

Section 4. ASSESSMENTS OF COST OF IMPROVEMENTS. In the case of improvement of any street as herein provided, except as otherwise provided, the cost of improvements except the share to be paid by street and other railway companies, shall be apportioned by the City Council on all lots or lands abutting on the streets improved, according to the respective benefits to be received from such improvements, so that each shall bear its relative, equitable proportion. The amount so found to be a benefit upon the property shall be assessed upon all the lots and lands abutting on the streets improved in proportion as the frontage of each lot or tract of land is to the frontage of all the lots and lands so improved, the sides of corner lots which abut on the streets so improved being regarded as frontage; provided, that where the lots or lands abutting on the street improved are not of substantially equal depth, or where any of such lots or lands are less than 150

feet in depth, then if the Council so determine, may divide the real estate so to be assessed into from two to six zones parallel with the street improved and apportion the amount to be paid for then entire depth to the different zones in proportion to the benefit received by each zone, and wherever a lot or land line lies within such zone, the Council may determine the proportion to be paid upon the real estate lying on each side of such line within the zone; and provided, further, that should the street improved lie partly within the City of Grand Junction and partly without the limits of said City, the City Limits' line running parallel with said street and in or near the center thereof, then in that case should the portion of said street lying within the City Limits be improved, the real estate to be assessed shall be the abutting real estate lying within the City limits; and provided, further, that should a street be improved by paving on only one side thereof, or on only one side and under and along the right of way of a street or other railway company, then in that case the real estate to be assessed shall be the real estate abutting on the side of the street so improved.

Section 3. That Section 5 of Chapter 81 of the 1953 Compiled Ordinances of the City of Grand Junction be amended to read as follows:

Section 5. IMPROVEMENTS IN STREET AND ALLEY INTERSECTIONS, HOW ASSESSED. In case of the improvement of any street or alley, the cost of the improvements at each street intersection, street and alley intersections, except the part to be borne by street or other railway companies, and except in case of the installation of artificial street lighting, shall be assessed to the lots and lands within the district in proportion as the frontage of each lot or tract of land is to the frontage of all the lots and lands in the district.

PASSED AND ADOPTED THIS 1st day of November, 1961.

Charles E. McCormick

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President of the City Council

ATTEST:

Helen C. Tomlinson

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City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 1141, was introduced, read and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 18th day of October, 1961, and

that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City, this 2nd day of November, 1961.

Helen C. Tomlinson

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City Clerk

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