

ORDINANCE NO. 1309

AN ORDINANCE AMENDING SECTIONS 25 THROUGH 31 OF CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, THE CITY'S WEED ORDINANCE, AND ADDING THERETO A SECTION 32.

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

1. That Sections 25 through 31 of Chapter 14 of the Code of Ordinances of the City of Grand Junction be amended to read as follows:

Section 14-25. Cutting weeds. Duty of property owner. It shall be the duty of each and every owner, agent or lessee of any lot or tract of ground in the City to cut to the ground all weeds and brush and to keep such growth down on each lot or tract of ground, on or along any street or avenue adjoining the same between the property line and the curblin thereof, or on or along any alley adjoining the same between the property line and the center of such alley; provided, however, that such prohibition shall not apply to lands primarily agricultural in nature, except that owners of such lands shall be required to keep weeds down between the property line of such land and the center of any right-of-way and shall be required to keep the weeds down within twenty feet of any subdivision or area that is being kept weed-free.

Section 14-26. Cutting and removal required. It shall be the duty of the owner, agent or lessee of any lots, tracts, or parcels of lands, except as above stated, to cut such weeds or brush and to remove the same together with rubbish herein mentioned, prior to June 1 of each year and to keep such weeds down until August 31 of each year. All such weeds and brush shall immediately, upon cutting, be removed with the rubbish to the appropriate disposal site.

Section 14-27. Notice to cut and remove. The City Clerk shall publish annually for three days a notice in the official newspaper of the city, at the proper time, notifying all owners of property, without naming them, that it is their duty to cut the weeds and brush and to remove the same, together with the rubbish from their properties and from the streets and alleys as in this article provided, during the time provided in this article; and that, in default of such cutting and removal, the work would be done under orders of the city manager and the cost thereof, together with the penalties provided in this article, would be charged to the respective lots, tracts, or parcels of land.

Section 14-28. Cutting, removal by city. In case of failure of any owner, agent or lessee of such lots, tracts or parcels of land to cut and remove weeds, brush and rubbish, as provided herein, the weed control supervisor is authorized to post a notice on such premises, which notice shall require the cutting of such weeds or brush or removal of such rubbish within ten days. In the event such work is not done within the ten days, the city manager shall then proceed to have the work done as soon as practicable. The notice

called for herein shall be attached to any building on the property, or, where no building exists, on a stake driven into the property.

Section 14-29. Assessing costs. Upon completion of the work done by city forces, a charge shall be made against the owner of such property. The charge shall be the actual costs for labor, equipment, and materials plus 25% for administration, supervision and inspection, or a minimum charge to be set by the City Manager, whichever is the greater.

Section 14-30. Notice of assessment. The Public Works Department, as soon as may be after such assessment is made, shall send by mail, addressed to the owner of such lots or tracts of land, at the reputed post office address of such owner, a notice of such assessment, which notice shall contain a description of the lots or parcels of land, the name of the owner or owners, and the amount of the assessment.

Section 14-31. Collection of assessments. It shall be the duty of the owner to pay such assessment within twenty days after the mailing of such notice, and in case of his failure so to do, he shall be liable personally for the amount of the assessment, and the same shall be a lien upon the respective lots or parcels of land from the time of such assessment. In case the owner shall fail to pay such assessment within twenty days after notice has been mailed to him, as provided by this article, then it shall be the duty of the city clerk to certify the amount of the assessment to the county treasurer, or other officer of the county having custody of the tax list, at the time of such certification, to be by him placed upon the tax list, for the current year and to be collected in the same manner as other taxes are collected, with ten per cent penalty thereon to defray the cost of collection; and all of the laws of the State of Colorado for the assessment and collection of general taxes, including the laws for the sale of the property for taxes and the redemption thereof, shall apply to and have full effect for the collection of all such assessments.

2. That Chapter 14 of the Code of Ordinances of the City of Grand Junction be amended by the addition of a Section 32 thereto, which section shall read as follows:

Section 14-32. Payment of assessment will not avoid fine. The fact that assessments have been made against property as provided in this article for cutting and removing weeds, brush and rubbish shall not prevent the owner, agent or lessee from being punished by fine or jailing under the general provisions of this Code, but such fine or penalty may be imposed on those found guilty of violating the provisions of this article in all cases, whether an assessment has or has not been made in accordance with the provisions of this article.

PASSED AND ADOPTED this 16th day of April, 1969.

R. G. Youngerman\President of the Council

ATTEST:

Helen C. Tomlinson\City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 1309, 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 2nd day of April, 1969, 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 17th day of April, 1969.

Helen C. Tomlinson\City Clerk

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Final Pub