

ORDINANCE NO. 2231

CONCERNING WITHDRAWAL OF NAMES FROM LOCAL IMPROVEMENT DISTRICT PETITIONS.

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

That Section 18-4(d) of Chapter 18 of the Code of Ordinances of the City of Grand Junction is amended to read as follows:

"(d) Owners may petition for improvements; requirements of petition. In addition to districts unilaterally formed by the city council if the owners of one-third of the frontage of the real estate to be assessed may petition for any street improvement provided in this section, and if the improvement is paving and the petition names two or more types of paving, whether asphalt, macadam, stone, brick or any other kind of substantial paving, then the improvements shall be ordered; provided, the council shall deem such proposed improvement good and sufficient for the particular locality; provided, however, that if the improvement is a paving project, the council may receive bids on any other type of paving than that mentioned in the petition, which the council deems suitable for the particular locality. The petition must be subscribed and acknowledged in the manner provided by law for acknowledgements of deeds of conveyance of real estate, by the owners or their agents duly authorized by power of attorney, acknowledged in like manner, of one-third of the frontage of the real estate to be assessed for the same. No petitioner, his heirs, SUCCESSORS or assigns shall be permitted to withdraw his name from the petition after the same has been filed with the council unless the council fails to order such improvements upon such petition within the time SPECIFIED IN the petition filed. All requests for withdrawal must be subscribed and acknowledged as aforesaid. On all paving projects, the council shall have discretionary power to elect which type of paving shall be adopted after the receipt of bids thereon; provided, that if the owners of a majority of the frontage of the real estate to be assessed shall petition for paving, and name one particular kind of paving which they desire to be used, thence the kind of paving so designated shall be used; provided the council shall deem such proposed improvement good and sufficient for the particular locality.

"Every petition for paving projects shall state the maximum cost per square foot for surface and base, per lineal foot for curb and gutter, and per cubic yard for grading, exclusive of interest and cost of collection for the entire improvement when completed, and the amount so named shall not be exceeded; all matters contained in the petition except the maximum cost, as aforesaid, may be disregarded by the council, and any one or more of the other improvements mentioned in this section, may be added by the council if the maximum cost is not exceeded; provided, that when the petition by the owners of a majority of the frontage of the real estate to be assessed designates one type or kind of paving, all matters contained herein, except the naming of the kind of

pavement, and the maximum cost, as aforesaid, may be disregarded by the council, and any one or more of the other improvements mentioned in this section may be added by the council if the maximum cost is not exceeded.

"Where the paving petitioned for in any number of petitions is substantially the same, the improvement may be included in one district, but in such case each petition shall be considered as a unit for the purpose of petition and remonstrance and may be considered as a unit for any other purpose, as the council may direct. But no petition shall be required to authorize the council to initiate any paving mentioned in this section."

PASSED and ADOPTED this 1st day of May, 1985.

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President of the Council

ATTEST:

Neva B. Lockhart, CMC

City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 2231, 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 17th day of April, 1985, 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 May, 1985.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk

Published: April 19, 1985

Published: May 3, 1985

Effective: June 2, 1985