

CITY OF CORTEZ
ORDINANCE NO. 1109
SERIES 2008

AN ORDINANCE ADDING CERTAIN SECTIONS
TO CHAPTER 24, SECTION 20, OF THE CODIFIED
ORDINANCES OF THE CITY OF CORTEZ CONCERNING
SNOW AND ICE REMOVAL FROM SIDEWALKS

WHEREAS, the Cortez City Council has determined that the best interests of the citizens of the City of Cortez would be served through an Ordinance to permit the safe and efficient removal of snow/ice from the sidewalks; and

WHEREAS, the Cortez City Council has determined that the Ordinance herein will be consistent with the public health, safety and welfare.

NOW, THEREFORE, be it ordained by the City Council of the City of Cortez, Colorado, as follows:

CHAPTER 24, SECTION 20. REMOVAL OF SNOW AND ICE

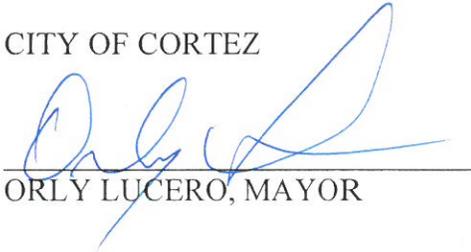
- (a) It shall be the duty of the owner, tenant and occupant of any commercial premise abutting or adjoining any public sidewalk to remove all snow and ice from such sidewalk by 12:00 noon of the second day following the last measureable snowfall on Main Street from Maple to Highway 145, North and South Broadway and businesses on the side streets in the area from Maple to Harrison between North Street to First Street in order to give safe passage to pedestrians. For snow/ice deposited on sidewalks by snow removal operations of the City or the State of Colorado an additional 24 hours will be granted for removal. Other streets/routes may be made subject to this Ordinance's provisions by Resolution of the City Council.
- (b) If the City determines that a certain person is in violation of Chapter 24, Section 20, and a hazardous condition exists, the City may remove any snow and ice where necessary. For any work completed by the City then the property involved shall be assessed the actual cost thereof plus an additional amount of up to twenty-five dollars (\$25.00) to cover administrative costs; provided, that before so proceeding the City shall inform any person responsible for and present at the property or premises of the violation and request that the violation be immediately corrected.
- (c) Whenever the City accomplishes any snow removal under this section, within thirty (30) days thereafter a notice shall be sent to the owner of the property at his last known address stating that snow removal work under this section has been performed and an assessment for the same shall be made. When a lien is created by a nonpayment of snow/ice removal, the City shall certify the unpaid snow/ice removal bill to the County Treasurer for collection with property taxes. It may be foreclosed on in the manner of a mechanic's lien and shall be a perpetual lien until such time as such snow/ice removal bill has been paid in full.
- (d) No person shall deposit or cause to be deposited in any public street, alley or roadway in the city, snow taken or removed from property privately owned or occupied, excluding snow taken or removed from public sidewalks.
- (e) Any person or persons guilty of violating any of the provision contained in this chapter shall be deemed guilty of a misdemeanor for each day that a violation continues and punished by a fine not to exceed five hundred dollars (\$500.00) or

imprisonment not to exceed one hundred eighty (180) days on both such fine and imprisonment.

PUBLIC HEARING. This ordinance shall be considered for second or final reading on the 25th day of March, 2008 at the hour of 7:30 p.m., in the City Council Chambers in City Hall, Cortez Colorado, at which time and place all persons may appear and be heard concerning the same.

PASSED, ADOPTED AND APPROVED ON FIRST READING, THIS 11TH DAY OF MARCH, 2008.

CITY OF CORTEZ

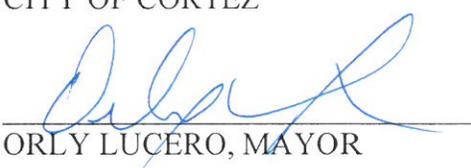

ORLY LUCERO, MAYOR

ATTEST:

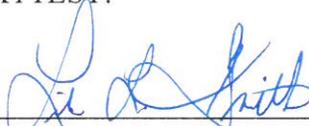

LINDA L. SMITH, CITY CLERK

PASSED, ADOPTED AND APPROVED ON SECOND AND FINAL READING THIS 25TH DAY, OF MARCH, 2008.

CITY OF CORTEZ


ORLY LUCERO, MAYOR

ATTEST:


LINDA L. SMITH, CITY CLERK

APPROVED AS TO FORM:


MIKE GREEN, City Attorney