



CITY OF CAÑON CITY

City Council

City Council Chambers
128 Main St., Cañon City, CO 81212
(719) 269-9011 • www.canoncity.org

VISION COMMITTEE MEETING

April 21, 2021

5:00 p.m.

AGENDA

- 1. CALL TO ORDER: City Council Chambers and via Teleconference**
- 2. ROLL CALL: COUNCIL MEMBERS DENNEHY, GONZALES, JAQUEZ, REED, B. SMITH, MAYOR PRO TEM HAMRICK, MAYOR SMITH.**
- 3. DISCUSSION:**
 - A. Frequent Nuisance Ordinance.**
- 4. ADJOURN The next scheduled meeting is May 19, 2021.**

**Posted pursuant to code on Wednesday, April 14, 2021
Cindy Foster Owens, City Clerk**

**A BILL FOR
ORDINANCE NO. ___, SERIES OF 2021**

**AN ORDINANCE OF THE CITY OF CAÑON CITY AMENDING CHAPTER 8.42
OF THE CAÑON CITY MUNICIPAL CODE CONCERNING CHRONIC
NUISANCES AND CLARIFICATION OF PROTEST PROCEDURES**

WHEREAS, the City has experienced repeated nuisances on properties;

WHEREAS, the City desires to create a process for repeat violators so that the City may address these chronic violations; and

WHEREAS, the City desires to clarify the rights of protest for a notice of violation.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF CAÑON CITY:

Section 1. Section 8.42.010(A) of the Cañon City Municipal Code is amended by the addition of a new subsection 5 to read as follows:

5. When a Community Services Officer issues three (3) written notices to a property within any twelve (12) month period or the owner or occupant is currently subject to a deferred judgment agreement or probation agreement on a previous nuisance, the Community Services Officer may issue a summons and complaint, without any further notice under this Section.

Section 2. Chapter 8.42 of the Cañon City Municipal Code is amended by the addition of a new Section, 8.42.015 to read as follows:

8.42.015 Chronic Nuisances

- A. A chronic nuisance shall be deemed to exist under the following circumstances:
 1. a property on which activity constituting a nuisance under this Code is visually observed, or otherwise witnessed, on three (3) or more occasions during any sixty (60) day period; and/or
 2. the nature of nuisance activity on the property results in a substantial threat to the health, safety and welfare of the occupants of the property and/or neighboring properties.
- B. Notice of chronic nuisance shall be provided in accordance with Section 8.42.010(A), except as provided for herein. The time for abatement of a chronic nuisance pursuant to subsection A above shall be no longer than three (3) days but may be no more than one (1) day, unless three notices have been issued pursuant to Section 8.42.010(A)(5).

C. When the City institutes an enforcement action pursuant to this Article, such action shall be subject to an expedited process as follows:

1. If the City abates the nuisance pursuant to Section 8.42.020(B), any hearing on the petition to abate the nuisance shall occur within twenty (20) days of the filing of the petition with the Municipal Court, so long as the notice of the hearing was served on the defendant at least ten (10) days prior to the hearing.
2. If the City issues a summons and complaint pursuant to Section 8.42.020(D), the first appearance for the defendant must be held within fifteen (15) days of the date of service of the summons and complaint. Disposition of the complaint, including trial, shall occur within thirty (30) days of the date of service the summons and complaint.

Section 3. Section 8.42.010(C)(6) of the Municipal Code is revised to read as follows:

A statement that, if the responsible party fails to comply with directions contained in the written notice, the City may enter the property, abate the nuisance described therein and assess the costs thereof to the owner of the property; and

Section 4. Severability. If any section, subsection, paragraph, clause or other provision of this Ordinance for any reason is held to be invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

Section 5. Effective Date. Pursuant to Article XII, Section 3 and Section 5 of the Charter, this Ordinance shall be effective five (5) days after final publication if it is published after adoption or if not so published, five (5) days after its adoption.