

ORDINANCE NO. 2460

INTRODUCED BY: ALLEN-THOMAS, DAVIS, DOUGLAS, FORD, HURST, HUSEMAN, KIM, MADERA, MILLARD-CHACON, NOBLE

AN EMERGENCY ORDINANCE AMENDING ARTICLE II OF CHAPTER 3 OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO FIX ERRORS CREATED BY AMENDMENTS THAT INADVERTENTLY OMITTED FINES AND RE-ENACTS PENALTIES ASSOCIATED WITH OIL AND GAS OPERATIONS, WEEDS, AND PROPERTY MAINTENANCE VIOLATIONS

WHEREAS, the City of Commerce City (“City”) is a home rule municipality organized pursuant to the laws of the State of Colorado;

WHEREAS, Code Section 3-2304 was originally enacted by Ordinance 1848 on January 10, 2011;

WHEREAS, Code Section 3-2304 was amended by Ordinance 2266 on February 15, 2021, to implement penalties for violations of the City’s land development code addressing oil and gas operations and the City’s related BMP Document;

WHEREAS, Code Section 3-2304 was further amended by Ordinance 2268 on April 19, 2021, to implement penalties for violations of the Commerce City Revised Municipal Code addressing weeds and vegetation, unsafe sidewalks and rights-of-way, and the maintenance of property;

WHEREAS, Ordinance 2341 was passed on September 20, 2021 to amend Article II of Chapter 3 of the City’s revised municipal code and the included exhibit (Exhibit D) to repeal and replace the article erroneously omitted the amendments made by Ordinances 2266 and 2268;

WHEREAS, Ordinance 2341 moved the code provisions within Section 3-2304 to a new Section 3-2103;

WHEREAS, it is necessary to correct the error made by Ordinance 2341 and incorporate the penalties as described in Ordinances 2266 and 2268; and

WHEREAS, Commerce City Charter Sec. 5.4 allows for the passage of emergency ordinances which are necessary to preserve the public health, safety, and welfare to be enacted at a regular or special meeting at which it is introduced without any prior posting, publication or, a second reading.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

SECTION 1. Findings. The recitals to this ordinance are incorporated as findings of the City Council. This ordinance is found to be necessary for the preservation of the public health,

safety, and welfare and in the public interest.

SECTION 2. Amendments. Section 3-2103 of the Commerce City Revised Municipal Code (“Code”) is amended as set forth in Exhibit A to this ordinance.

SECTION 3. Repealer. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency.

SECTION 4. Effective Date. This ordinance shall be effective immediately upon passage.

INTRODUCED AND PASSED AS AN EMERGENCY ORDINANCE AND PUBLIC NOTICE ORDERED THIS 6TH DAY OF FEBRUARY 2023.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk