



# Commerce City

7887 E. 60th Ave.  
Commerce City, CO 80022  
c3gov.com

## Council Communication File Number: Ord 2460

**Agenda Date:** 2/6/2023

**Version:** 1

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Ordinance

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

### **Summary and Background Information:**

In 2021 several revisions to the Commerce City Revised Municipal Code (the "Code") were enacted that amended the Code's provisions relating to administrative penalties for different types of Code violations. The different amendments modified Code section 3-2304, originally enacted by Ordinance 1848 on January 10, 2011.

On February 15, 2021, Ordinance 2266 was passed to implement penalties for violations of the City's Land Development Code specifically related to oil and gas operations and the associated City's Best Management Practices.

On April 19, 2021, Ordinance 2268 was passed to implement penalties specifically related to violations of regulations pertaining to weeds and vegetation, unsafe sidewalks and rights-of-way, and the maintenance of property.

On September 20, 2021, Ordinance 2341 was passed to amend Article II of Chapter 3 of the City's revised municipal code which included an exhibit to repeal and replace article 3-2304 failed to include amendments made by Ordinances 2266 and 2268. In other words, the repeal and replace had the unintended effect of removing the fines established for oil and gas operations and property maintenance violations. Ordinance 2341 also relocated certain the code provisions in Section 3-2304 and moved them to a new Section 3-2103.

This ordinance specifically corrects the errors created when Ordinance 2341 was passed and re-enacts the fines imposed by Ordinances 2266 and 2268. In other words, this is essentially a "housecleaning" ordinance to resolve unintended errors caused by multiple ordinances addressing municipal code penalties being passed in a relatively short period of time that failed to account for changes made to each during the codification process.

**Staff Responsible (Department Head):** Dylan A. Gibson, City Clerk, and Matt Hader, Interim City Attorney

**Staff Member Presenting:** Dylan A. Gibson, City Clerk, and Matt Hader, Interim City Attorney

**Financial Impact:** None.

**Funding Source:** N/A

**Staff Recommendation:** Approve the ordinance on first reading by council as seated.

**Suggested Motion:** I move to introduce Ordinance 2460 by Council as seated and approve on first reading.