



Legislation Details (With Text)

File #: Ord 2268 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 2/24/2020 **In control:** City Council
On agenda: 4/19/2021 **Final action:** 4/19/2021
Title: AN ORDINANCE AMENDING SECTIONS 3-2304 AND 6-2012, CONSOLIDATING SECTIONS 6-2012 AND 6-2013, AND REPEALING AND SAVING SECTION 6-2013 OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO MODIFY RESPONSIBILITIES AND STANDARDS FOR THE MAINTENANCE OF WEEDS AND GRASSES AND INCREASING PENALTIES FOR NONCOMPLIANCE

Sponsors:

Indexes:

Code sections:

Attachments: 1. Council Communication, 2. Ordinance - Final, 3. Ordinance, 4. Presentation, 5. Exhibit A - Sec. 3-2304 Penalties, 6. Exhibit B - Sec. 6-2012 Weeds and Vegetation, 7. Revised Sec. 3-2304 Penalties (Reference), 8. Revised Sec. 6-2012 Weeds and vegetation (Reference), 9. City Noxious Weed Management Plan, 10. October 14, 2019 Study Session Presentation, 11. May 13, 2019 Study Session Presentation, 12. Large Tract Owner Response Letters, 13. Written Comments, 14. May 4, 2020 Presentation, 15. June 1, 2020 Presentation, 16. July 6, 2020 Presentation, 17. January 25, 2021 Presentation

Date	Ver.	Action By	Action	Result
4/19/2021	1	City Council	approved on second & final reading	
3/15/2021	1	City Council	introduced by council as seated and approved on first reading	Pass
7/6/2020	1	City Council	continued	Pass
6/1/2020	1	City Council	continued	Pass
5/18/2020	1	City Council	continued	Pass
5/4/2020	1	City Council	continued	Pass

AN ORDINANCE AMENDING SECTIONS 3-2304 AND 6-2012, CONSOLIDATING SECTIONS 6-2012 AND 6-2013, AND REPEALING AND SAVING SECTION 6-2013 OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO MODIFY RESPONSIBILITIES AND STANDARDS FOR THE MAINTENANCE OF WEEDS AND GRASSES AND INCREASING PENALTIES FOR NONCOMPLIANCE

Summary and Background Information:

In May 2019 staff conducted a study session with Council in regards to information on the City's nuisance weed regulations for large tract properties and inquired about possible updates to Sec. 6-2012. The direction was for staff to bring back recommendations to update Sec. 6-2012 to accomplish a more unified aesthetic while addressing the need to control noxious weeds. Council also directed staff to reach out to property owners of large tracts in the city to solicit input and feedback.

A second study session was held October 2019 to present Municipal Code options to Council and

responses from solicited property owners. The direction was for staff to update the Municipal Code to provide clear language that:

- Expands and clarifies the maintenance requirements and responsibilities of landowners;
- Reduces the lot sizes to one-acre or less or any sized developed lot and over one acre undeveloped lot to achieve an aesthetically pleasing environment and more unified look that also helps to mitigate noxious weeds; and
- Creates a new violation process and fee structure for those who are non-compliant.

Staff's proposed revisions update definitions, improve maintenance requirements, and clarify the maintenance responsibility of a private property owner and the City in regards to adjacent public rights of way. The tiering systems for maintenance requirements was simplified from three tiers to two tiers to achieve consistent and predictable compliance. Staff also established fees specific to non-compliant properties subject to Section 6-2012. - Maintenance of Property. Lastly, to align with the proposed modifications and City Council direction, Sec. 3-2304. - Penalties, was also updated.

The proposed revisions to the Municipal Code are in alignment with the Noxious Weed Maintenance Plan.

Staff Responsible (Department Head): Jason Rogers, Community Development Director

Staff Member Presenting: Tricia Mason, Community Development Manager

Financial Impact: N/A

Funding Source: N/A

Staff Recommendation: Approval

Suggested Motion:

- First Reading: I move to introduce and approve Ordinance 2268 on first reading by Council as seated.
- Second Reading: I move to approve Ordinance 2268 on second and final reading.