



City Council Communication

AGENDA DATE: July 20, 2026

LEGISTAR ITEM #: Ord 2792

PRESENTER: Michael Sutherland
Development

DEPARTMENT: Community

☒ Ordinance	☐ Resolution	☐ Public Hearing
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REQUEST

Staff is requesting approval of an ordinance amending Section 3-2306(a)(2)(c) of Chapter 3 of the Commerce City Revised Municipal Code to clarify the City's authority to abate violations when a responsible party fails to comply, and to expressly provide the City with the authority to take actions such as repair, securing, removal, or demolition of structures when such actions are permitted by the City of Commerce City Building Code or other applicable law.

BACKGROUND

Section 3-2306 of the Municipal Court and Administrative Hearings Code outlines the contents of enforcement orders issued during the administrative enforcement process. The current language in subsection (a)(2)(c) authorizes the City to take reasonable steps to abate a violation if the responsible party fails to comply; however, the language limits abatement to actions that can be completed without entering a building.

This has created ambiguity regarding the City's authority to take more substantive corrective actions—such as repair, securing, removal, or demolition of structures—when such actions are authorized under the City of Commerce City Building Code or other applicable laws.

The proposed amendment removes this limitation and clarifies that the City may undertake abatement actions consistent with its legal authority, ensuring more effective enforcement of public safety, nuisance, and property maintenance codes. This clarification supports the City's ability to respond to unsafe or hazardous conditions when voluntary compliance does not occur.

CITY COUNCIL COMMUNICATION CONTINUED

JUSTIFICATION

☐ Council Goal	☒ Strategic Plan	☐ Work Plan	☒ Legal
Citation	This amendment supports Commerce City's Strategic Plan by strengthening the City's ability to maintain public safety, protect community wellbeing, and uphold high-performing government practices. Clarifying the City's authority to take necessary corrective action—including securing, repairing, removing, or demolishing unsafe structures—aligns with the Strategic Plan's commitment to creating a safe, resilient, and well-maintained community. The update also reinforces Council's priorities around neighborhood vitality, infrastructure readiness, and responsiveness, ensuring that hazardous or deteriorated conditions can be addressed promptly when responsible parties fail to comply. By enabling the City to take appropriate abatement measures consistent with the Building Code and applicable law, the amendment enhances the City's capacity to protect residents, preserve property values, and support a Quality Community for a Lifetime.		

AVAILABLE ACTIONS

- Available Action #1. Approve as submitted the ordinance amending Section 3-2306(a)(2)(c).
- Available Action #2. Approve the ordinance with amendments directed by City Council.
- Available Action #3. Continue the item to a future meeting for further research or revisions.
- Available Action #4. Decline approval. Not approving this item would leave the current language in place, continuing limitations in the City's ability to abate unsafe or hazardous conditions—particularly in situations requiring the securing, repair, removal, or demolition of structures for public safety—when voluntary compliance is not achieved.

CITY COUNCIL COMMUNICATION CONTINUED

STAFF RECOMMENDATION

Staff recommends Available Action #1, approval of the item.