

ORDINANCE NO. 7

Series 2024

A BILL FOR AN ORDINANCE ESTABLISHING A PROCESS FOR CERTIFYING LIENS TO THE COUNTY FOR UNPAID ADMINISTRATIVE FINES IMPOSED FOR VIOLATIONS OF THE HOUSING CODE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

Section 1. That a new subsection C is added to section 9-16-6 and the section is amended by deleting the language stricken and adding the language underlined to read as follows:

9-16-6: NOTICE, FINES, ~~AND PENALTIES,~~ AND LIENS:

A. Fines and Penalties: Failure to comply with the requirements of this chapter or this Code may result in the following fines and penalties:

1. Failure to comply with a deed restriction or covenant shall be punishable by an administrative penalty in the amount of one hundred dollars (\$100.00) per day.
2. Failure to file an annual verification affidavit or respond to a request for compliance information from the town shall be punishable by an administrative penalty of two hundred and fifty dollars (\$250.00).
3. Failure to comply with occupancy or employment covenants in any deed or restrictive covenant may result in limitations on housing sale appreciation amounts.
4. Violations of this chapter shall be subject to the general penalty set forth in section 1-4-1 of this Code, including failure to pay the administrative penalty imposed by this section in a timely manner.
5. Fines and penalties under this section are cumulative.

B. Warnings and Notice:

1. Written notice of an administrative penalty shall be provided by first class United States mail to such person at such person's last known address. The administrative penalty shall be due and payable within fourteen (14) days of the date of the notice.
2. The housing division will issue a first warning prior to imposing fines or penalties in accordance with this chapter

C. Lien on Property for Delinquent Fines, Charges, and/or Assessments.

1. Failure to pay any fines, charges, or assessments ("charges") imposed by the division of housing under this chapter may result in a lien on the real property subject the violation.
2. Any or all delinquent fines, charges, or assessments made or levied to be certified to the treasurer of the county and be collected and paid over by the treasurer of the county shall be processed in the same manner as taxes are authorized to be by title 3, chapter 2. A notice of lien may be prepared by the finance director or their designee and filed with the Summit County treasurer no sooner than five (5) days following the day the charges were due and not paid. Such notice of lien shall include the following:
 - i. The name of the owner of the property;
 - ii. A legal description of the property as tax assessed by the Summit County assessor, and the number and street address of the property to which the notice of lien is applicable;

- iii. The nature of the lien; and
- iv. A statement that notice of lien is given pursuant to this section.
- v. The finance director or their designee shall mail a copy of such notice of lien to the billing address of the owner.
- vi. Once a notice of lien has been filed with the Summit County treasurer, there will be a one hundred dollar (\$100.00) service charge for the administration and work to process the lien which will be required to be paid in addition to full payment of the charges due and owing. required for such lien.
- vii. The division of housing has the sole discretion to release a lien upon its own action or upon request of the owner for good cause.

Section 2. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 13th day of February, 2024.

This ordinance was published in full on the Town of Breckenridge website on February 15, February 16, February 17, February 18 and February 19, 2024.

A public hearing on this ordinance was held on February 27, 2024.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE TOWN'S WEBSITE this 27th day of February, 2024. A copy of this Ordinance is available for inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE

Helen Cospolich, CMC, Town Clerk

Kelly Owens, Mayor Pro Tem

APPROVED IN FORM

Town Attorney Date

This Ordinance was published on the Town of Breckenridge website on February 29, March 1, March 2, March 3 and March 4, 2024. This ordinance shall become effective on April 3, 2024.

