

EMERGENCY ORDINANCE NO. 662

EMERGENCY ORDINANCE AMENDING CERTAIN PROVISIONS OF ORDINANCE NO. 519
RELATING TO JUNK AND JUNKED AND ABANDONED VEHICLES, AND PROVIDING
PENALTIES THEREFOR

WHEREAS, the City of Las Animas has previously enacted Ordinance No. 519 relating to Junked and Abandoned vehicles and providing penalties therefor; and

WHEREAS, Ordinance 519 specifies that "The city police chief shall designate one or more city employees who shall inspect all premises and places within the city as often as necessary to determine whether junk vehicles or junk exist"; and

WHEREAS, Ordinance 519 further specifies that "The chief of police or designated officer issuing the order of abatement shall represent the city before the city council ordinance committee"; and

WHEREAS, it is the desire of the City Council of the City of Las Animas that these specifications be broadened,

NOW THEREFORE, BE IT ORDAINED AS FOLLOWS:

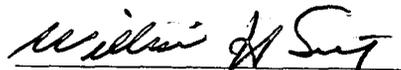
1. Section 10A-5 is being repealed and reenacted as follows:

10A-5(a) The city council shall designate one or more city employees who shall inspect all premises and places within the city as often as necessary to determine whether junk vehicles or junk exist. Any such employee so designated shall have the right to enter upon private premises for the purposes of carrying out the duties assigned to him. Upon such employee's determination that junk vehicles or junk exists in violation of this chapter, such employee shall issue and serve a written notice to the owner or occupant of the real property upon which the said condition is found to exist that such condition shall be abated by removal, enclosure, fencing as allowed in this chapter, or, in the case of junk vehicles, by repair or licensing so as to bring such junk vehicle without the definition of junk vehicle contained in this chapter, within thirty days from the date of such notice.

10A-5(b) Such notice of abatement shall also state that the person upon which the notice is served may appeal the order of abatement to the city council ordinance committee of the city. The notice of appeal must be filed within the thirty-day period which is commenced by the receipt of such notice, must be in writing, and shall be filed with the city clerk of the city. The city clerk shall promptly forward such notice of appeal to the city council ordinance committee within fifteen days after receipt of such notice of appeal by the city clerk. The city council ordinance committee of the city is authorized to grant variance to any order of abatement upon the finding by such board of appropriate circumstances therefor. The ordinance committee must approve or deny the variance within ten days after receipt of the notice of appeal. If the ordinance committee denies the variance, the owner or occupant of such premises shall have ten days from such denial to abate the condition. The city employee designated by the city council to issue the order of abatement shall represent the city before the city council ordinance committee.

ADOPTED as an emergency ordinance on first reading this 10th day of May, 2005.

CITY OF LAS ANIMAS, COLORADO


By: William H. Lutz, Mayor

ATTEST: