

ORDINANCE NO. 24-07

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES,
COLORADO, AMENDING SECTION 12-1-40 OF THE CASTLE PINES MUNICIPAL
CODE TO ALLOW FOR CERTIFICATION OF DELINQUENT STORMWATER
UTILITY FEES TO THE COUNTY TREASURER TO BE COLLECTED AND PAID IN
THE SAME MANNER AS TAXES**

WHEREAS, the City of Castle Pines (“City”) is a home rule municipality with all powers granted by Article XX of the Colorado Constitution and the City’s Home Rule Charter (“City Charter”); and

WHEREAS, under Section 12-1-40 of the Castle Pines Municipal Code, the City has implemented a stormwater management fee (“Stormwater Utility Fees”) to be placed in the Stormwater Utility Fund; and

WHEREAS, the City wishes to be able to utilize any available method for collecting delinquent Stormwater Utility Fees; and

WHEREAS, pursuant to Section 31-20-105, C.R.S., any municipality, if by ordinance so elects, may cause any or all delinquent charges to be certified to the treasurer of the county to be collected and paid over by the treasurer of the county in the same manner as taxes are authorized to be collected by Title 31; and

WHEREAS, the City wishes to elect via this ordinance the ability to certify delinquent Stormwater Utility Fees to the County Treasurer to be collected and paid in the same manner as taxes.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES,
COLORADO THAT:**

Section 1. **Recitals Incorporated.** The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the City Council for all purposes.

Section 2. Section 12-1-40, titled “Stormwater Utility Fee,” is hereby amended as follows, with additions shown in underline:

Sec. 12-1-40. – Stormwater Utility Fee.

* * *

(c) If the City is not paid the Stormwater Utility Fee it is owed within forty-five (45) calendar days after the same becomes due, the amount due plus any late fees shall be deemed delinquent and thereafter certified by the City's Finance Director to the Douglas County Treasurer. Upon certification to the County Treasurer the certified amount will become a lien against the property that will have priority over all other liens except general taxes. The Douglas

County Treasurer shall collect and pay over to the City such charges in the same manner as the Treasurer is authorized to collect delinquent property taxes.

Section 3. Severability. If any part or provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 4. Codification Amendments. The codifier of the City's Municipal Code is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Castle Pines Municipal Code.

Section 5. Safety Clause. The City Council finds and declares that this Ordinance is promulgated and adopted for the public health, safety and welfare and this Ordinance bears a rational relation to the legislative object sought to be obtained.

Section 6. Publication and Effective Date. The City Clerk is hereby directed to cause publication of this Ordinance in accordance with Section 6.5 of the Charter. This Ordinance shall be effective thirty (30) days after final publication on the City's official website and posting at the City Clerk's office pursuant to Section 1-3-40 of the Municipal Code.

INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO THE 22ND DAY OF OCTOBER, 2024.

READ, PASSED, AND ADOPTED ON SECOND READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO THE 12TH DAY OF NOVEMBER, 2024.

ATTEST:

Tobi Duffey



Tobi Duffey, MMC, City Clerk

Tracy Engerman

Tracy Engerman (Nov 20, 2024 23:03 MST)

Tracy Engerman, Mayor

Approved as to form:

Linda C. Michow

Linda C. Michow, City Attorney

CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading at a regular meeting of the Castle Pines City Council on October 22, 2024; published by reference by title only in the *Douglas County News-Press*, together with the statement that “[t]he complete text of all ordinances is available through the City Offices and on the City’s official website”; and finally passed and adopted by the City Council on November 12, 2024 following a duly noticed public meeting and ordered published by title only, with amendments if any, one time in the *Douglas County News-Press* on October 31, 2024.

ATTEST:



Tobi Duffey, MMC, City Clerk