



Legal Notice

Date: 08/23/2024

Subject: An ordinance of the City of Littleton, Colorado, amending various titles and sections of the Littleton City Code related to nuisances and nuisance abatements

Passed/Failed: Passed on second reading and public hearing

CITY OF LITTLETON, COLORADO

**ORDINANCE 20
SERIES 2024**

CITY OF LITTLETON, COLORADO

ORDINANCE NO. 20

Series, 2024

**AN ORDINANCE OF THE CITY OF LITTLETON,
COLORADO, AMENDING VARIOUS TITLES AND
SECTIONS OF THE LITTLETON CITY CODE RELATED
TO NUISANCES AND NUISANCE ABATEMENTS**

WHEREAS, City Council finds that certain structures or properties within the city have or may have become nuisance properties or may harbor nuisance conditions; and

WHEREAS, that such nuisances or nuisance properties are detrimental or inimical to the health, safety, and general welfare of the citizens and to the economic welfare of the municipality; and

WHEREAS, that in order to improve and maintain the general character of the municipality, it is necessary to rehabilitate such nuisance properties by eliminating nuisances within such areas for the protection of the health, safety, and general welfare of the municipality, and

WHEREAS, to properly address nuisance conditions or nuisance properties in a timely and efficient manner a process is required to remedy these issues.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LITTLETON, COLORADO, THAT:

Section 1: Littleton City Code, Title 7 Health and Sanitation, Chapter 1 Garbage and Refuse is hereby repealed and reenacted to read as follows:

Chapter 1. Nuisance and Abatement.

7.1.1. Purpose. The City Council declares that the determination and abatement of nuisances for the public’s health, safety, and welfare is a matter of local concern and therefore, subject to the valid exercise of the City’s police powers, to the fullest extent permitted by law.

7.1.2 Nuisance

a. Definition. As used within this Title, the following words and terms shall have the following meaning, except where otherwise specified:

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45 *Code Compliance Officer, or Authorized Official*, means a City-appointed
46 code compliance officer, an authorized law enforcement official, or other
47 authorized City employee or agent engaged in the investigation and
48 determination of the existence of a nuisance or other municipal code
49 violation.

50
51 *Derelict Vehicle or Unlicensed Vehicle*: Any vehicle, not capable of being
52 legally operated on the public streets under the motor vehicle laws of
53 Colorado. It shall include all vehicles missing component parts such as, but
54 not limited to, engines, transmissions, wheels, missing or broken windows
55 and/or windshields. It shall not include those vehicles that have been
56 modified as hobby-type vehicles, which is a vehicle which has been
57 modified for off-the-road use such as a stock-car racer, dune buggy, etc.

58
59 *Junk (including derelict and abandoned vehicles)*. Junk means and includes,
60 but is not limited to, a junked vehicle put upon or kept upon any private real
61 property in the city, including any abandoned or derelict vehicles; scrap or
62 remnant building materials, lumber or metals; discarded furniture, fixtures,
63 appliances; motor vehicle parts and tires; inoperable, abandoned,
64 demolished, dismantled machinery, trailers, and other goods in such
65 condition of deterioration or disrepair so as to be unusable in their existing
66 condition.

67
68 *Public Nuisance or Nuisance*. As used in this chapter, and unless the context
69 otherwise requires, the term “nuisance” means public nuisance and is any
70 state of things the Littleton City Code specifies as a nuisance or public
71 nuisance or that may be defined or declared by statute, including violations
72 of the City’s adopted International codes.

73
74 *Responsible Party (occupant, owner, agent, tenant)* As used in this chapter
75 shall mean either the occupant, tenant, agent or registered owner.

76
77 *Rubbish and Debris*. All non-putrescible waste, both combustible and
78 noncombustible, and includes, without limitation, ashes, cans, paper,
79 wrappings, cigarettes, cardboard, yard clippings, leaves, branches, wood,
80 waste building materials, glass, bedding, crockery, household appliances,
81 furniture, electronics, machinery, and car parts that are not stored within an
82 enclosed structure. Items may be deemed to be rubbish regardless of
83 whether the item could be put to any reasonable use or has any claimed
84 value.

85
86 b. Nuisances declared; Prohibition. It shall be unlawful for any responsible
87 party of any structure, premises, lot, or real property to create, maintain, or allow
88 any nuisance thereon, or to remain thereon. The prohibitions in this chapter shall

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89 apply only to a responsible party in a position to avoid, prevent, or discontinue a
90 nuisance.

91

92 7.1.3 Specific Nuisances

93

94 a. Offensive Premises

95

96 i. Policy. The accumulation of junk, rubbish, and debris facilitates rodent,
97 pest, and vermin harborage, comprises public health resulting from
98 dangerous and unsanitary conditions, constitutes a threat to public safety
99 and quality of life, and otherwise erodes the aesthetic conditions of the
100 community, degrading the quality of life of the citizens of the city.

101

102 ii. Prohibition. It shall be deemed a public nuisance and unlawful to deposit,
103 accumulate, store, keep, abandon, or to permit the accumulation, storage,
104 keeping or abandonment of junk, rubbish, or debris on private or public
105 property within the city, unless such area is specifically used and
106 appropriately zoned for such deposit, accumulation, storage, or keeping
107 junk, rubbish or debris, and all applicable fencing, setback, and other
108 applicable requirements are met.

109

110 iii. Abandoned Vehicles. All abandoned vehicles shall be referred to the City
111 of Littleton police department and handled in accordance with Title 6,
112 Chapter 6 of this code.

113

114 b. Abandoned pools or deposits of water prohibited. Any swimming pool, pond,
115 stream, ditch, or deposit of water, which is abandoned, unattended or unfiltered,
116 which results in such water becoming polluted or a sanitation or health hazard is
117 unlawful and constitutes a nuisance.

118 c. Trees. It shall be unlawful and a nuisance for any person to possess, own, manage,
119 or maintain a tree in violation of the requirements of Title 8, Chapter 4, Trees.

120

121 d. Control of dust. It is unlawful and a nuisance for any person to own, possess or
122 control any cleared area, construction site, parking lot, vacant lot or other site use
123 by vehicular traffic or construction equipment, or own, possess or control any open
124 pit, storage or stockpile area, without implementing preventative fugitive dust
125 control measures.

126

127 e. Littering and Dumping. It is unlawful and constitutes a nuisance for any person to
128 throw or deposit, or cause or permit to be thrown or deposited anywhere within the
129 city, any garbage, trash, rubbish or junk as defined in Chapter 7.2 of this title, or

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130 hazardous material as defined by 40 C.F.R. Part 261, or other offensive matter
131 unless such is clearly marked and designated as a proper dump or container for the
132 deposit of garbage, trash, or junk.

133
134 f. General Property Standards. It shall be unlawful and a nuisance for any person to
135 own, lease, occupy, manage, possess, or maintain any property in violation of the
136 requirements of Title 4, Building Regulations.

137
138 g. Snow and Ice on Sidewalks; Responsibility for Removal

139
140 i. Removal. It shall be unlawful for any responsible party of any lot, block, or
141 parcel of real property within the City, to allow any snow or ice to
142 accumulate or remain upon any sidewalk adjacent to such lot, block, or
143 parcel for longer than twenty-four (24) hours from the time of the end of
144 any snow fall or ice storm, as established by the National Weather Service
145 three-day weather history for the area (Denver-Centennial Airport), or the
146 accumulation of drift from the time such drift developed. The existence of
147 snow or ice upon a sidewalk more than twenty-four (24) hours after the end
148 of any snow or ice storm shall be prima facie evidence of violation of this
149 provision.

150
151 ii. Obstruction. It shall be unlawful for any responsible party to deposit any
152 snow or ice as to obstruct a street, sidewalk, or any public way, including
153 any removal that prevents pedestrians or vehicles from being able to
154 traverse the street, sidewalk or any public way or block the vision of any
155 pedestrian or vehicle attempting to traverse the street, sidewalk or any
156 public way.

157
158 iii. Annual Notice of Violation; Abatement

159
160 1. On the first written violation during a snow season (October 1—
161 May 31), any responsible party(ies), including the property owner,
162 who violates Section 7.1.3(e), relating to snow or ice removal, may
163 be served a written notice of violation. The notice will state that the
164 snow or ice must be removed within twenty-four (24) hours from
165 the date of the notice. The notice shall also state that unless the
166 responsible party shall cause the abatement of the violation within
167 the prescribed time-period, the City may take enforcement action as
168 prescribed herein.

169
170 2. Notice to Property Owner. The owner of such lot or tract of land as
171 shown in the property records of the county shall receive a notice of
172 violation sent by certified mail, return receipt requested, or

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173 personally served upon the owner(s) of record. Evidence of the
174 notice mailed to the last-known address of the owner(s) of record of
175 such lot or tract of land as documented by the records of the city,
176 including a certificate of mailing by first-class mail by a city
177 employee, is prima facie evidence that a mailed notice was received
178 by the owner(s) of record of such lot or tract of land three days
179 following the date of mailing. Such notice shall include a statement
180 that in the event any subsequent snow and/or ice violations occur in
181 association with the property, and are not abated within twenty-four
182 (24) hours from the date of violation in conformance with this Code,
183 the city may abate the violation as a danger to the health, safety, and
184 welfare of the public, with the costs of abatement assessed against
185 the real property and its owner(s), in addition to any other civil or
186 criminal remedies.

187
188 7.1.4 Inspection

189 a. Right of entry. Whenever necessary to make an inspection to enforce the provisions
190 of this Title, or whenever a police or code enforcement officer has reasonable cause to
191 believe there exists in any building or upon any premises, a condition which constitutes
192 a nuisance, such officer shall first present proper credentials and request entry. If entry
193 is refused, the officer shall give the responsible party a written notice of intent to inspect
194 the premises, not sooner than 24 hours after the time specified in the notice. The notice
195 shall state the responsible party has the right to refuse entry and that in the event entry
196 is refused, inspection may only be made upon the issuance of a search warrant by a
197 judge of any court having jurisdiction.

198 7.1.5 Search warrants. A police officer or code enforcement officer may appear before a
199 municipal judge of the city and upon showing of probable cause, obtain a search
200 warrant entitling such officer to enter the building or premises, using such reasonable
201 force as may be necessary to gain entry. The officer applying for such warrant shall not
202 be required to demonstrate specific knowledge of the condition of the particular
203 structure or premises at issue in order to obtain a search warrant but must show some
204 factual or practical circumstances that would cause an ordinary prudent person to act.
205 Any municipal judge of the municipal court of the city shall have the power to issue
206 search warrants upon a showing or probable cause of the existence of a nuisance.

207
208 7.1.6 Notice of Violation

209
210 a. Notice. Except as otherwise specified within this chapter, in all cases where a
211 nuisance shall be found to exist, notice of the nuisance shall be served by the city upon
212 any and all responsible parties for causing, permitting, maintaining, or failing to abate
213 the nuisance. Such notice shall:

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- 214 i. Be in writing;
215
216 ii. Include a description of the property sufficient for identification;
217
218 iii. Include a statement of the violation(s) and why the notice is being issued;
219
220 iv. Include a correction order allowing at least ten (10) days to make the repairs
221 and improvements required to abate the nuisance;
222
223 v. Inform the responsible party of their right to appeal pursuant to Title 1,
224 Chapter 20, Administrative Hearings within seven (7) days of receipt of the
225 notice;
226
227 vi. Include a statement of the city's right to abate the nuisance and file a lien in
228 accordance with this section;
229
230 b. Service. The code compliance officer, (or other authorized official), shall promptly
231 post a copy of the notice in a visible location on the property. Beside such posting,
232 the code enforcement officer, (or other authorized official), may, if practicable,
233 provide a copy of the notice to the responsible party by one of the following
234 methods:
235
236 i. By personal delivery to the property owner, or the owner's designated
237 agent;
238
239 ii. By U.S. mail or other commercial mail service to any address for the
240 owner appearing in the county tax assessor's records for real property;
241
242 iii. By U.S. mail or other commercial mail service to any address for the
243 owner appearing in the state department of revenue or other official title
244 or registration records, for other property;
245
246 iv. By any other means reasonably calculated to provide notice.

247 7.1.7 Abatement.

- 248 a. It shall be the duty of the responsible party of any lot, building or premises, in or
249 upon which any nuisance may be found, to abate the same in such manner as the
250 officer serving such notice prescribes, within the time specified in the abatement
251 notice and correction order. Timely filing of an appeal from the abatement notice
252 and correction order under this section shall extend the time for abatement until a
253 final ruling on that appeal. In addition to any other available sanction or relief, if
254 such responsible party neglects or refuses to comply with the requirements of such

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255 order within the time specified, he or she commits a violation of this Code,
256 punishable as stated within this Title.

257
258 b. If the nuisance remains unabated at the end of the time specified in the abatement
259 notice and correction order, including any extension for appeal, as provided above,
260 the code compliance officer, (or authorized official), shall cause abatement of the
261 nuisance as soon as possible, and shall require payment of the abatement expense
262 by the responsible party so refusing or neglecting to abate.

263
264 c. If any responsible party fails or refuses to pay when due any charge imposed under
265 this section, the City may, in addition to taking other collection remedies, certify
266 due and unpaid charges, to be levied against the person's property for collection as
267 provided for in Section 1-9-9.

268
269 d. Emergency Abatement and Correction Order.

270
271 i. Whenever a code compliance officer or authorized official, finds that a
272 nuisance exists under this Title, which places the health, safety, or welfare
273 of the public in immediate danger, the officer may issue an emergency
274 correction order, which shall comply with Section 7.1.5, except that the
275 emergency correction order may:

276
277 1. Allow less time than ten (10) days, as is reasonable under the
278 circumstances to abate the nuisance;

279
280 2. State that, if the nuisance continues to remain abated at the end of
281 the reasonable time given, the authorized officer shall cause the
282 abatement of said nuisance in accordance with this section; and

283
284 3. State that, due to the emergency need for an abatement, a timely
285 appeal may be heard after abatement.

286
287 ii. Timely filing of an appeal from the emergency correction order shall not
288 extend the time for abatement.

289
290 iii. If the nuisance remains unabated at the end of the reasonable time given
291 within the emergency abatement and correction order, the authorized officer
292 shall cause abatement of the nuisance in accordance herewith.

293
294 e. Recovery of Costs. The code compliance officer, or authorized officer, shall follow
295 the procedure outlined in Section 1-9-9 of the code regarding assessments for the
296 costs of services and collections. Notwithstanding, the city shall have the additional
297 right to collect from any responsible party through institution of an action at law or

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298 in equity or by other lawful means, any amount due from such responsible party for
299 amounts due and owing herein.

300
301 f. Appeal. The responsible party may appeal, in writing, the notice of violation within
302 seven (7) days of mailing. Requests for appeal shall be filed with the City Clerk
303 and appeals shall be heard by a hearing officer in accordance with Title 1, Chapter
304 20, Administrative Hearings.

305
306 7.1.9 Enforcement. The City may elect to initiate one (1) or more of the following
307 enforcement methods:

308
309 a. *Warning Notice.*

310
311 b. *Voluntary Abatement Agreement.* The Director, or authorized designee,
312 shall have the authority to enter into a written voluntary abatement
313 agreement with the responsible party to gain voluntary compliance in
314 correcting the noticed violation. The Director, or authorized designee, shall
315 refrain from further processing of the violation during the time allowed in
316 the agreement for the completion of necessary corrective action. The failure
317 to comply with any term of the voluntary abatement agreement constitutes
318 a separate violation and shall be handled in accordance with the agreement,
319 except no further notice need be given.

320
321 c. *Summons and Complaint.* If the responsible party has failed to abate or
322 correct the violation described in a notice of violation, issued pursuant to
323 Section 7.1.5 of this chapter, within the time provided on such notice, a code
324 compliance official may initiate an action in municipal court to have a
325 nuisance declared as such by the court and to have the court impose an
326 appropriate sentence.

327
328 d. *Administrative Civil Penalties.*

329
330 i. Any costs incurred by the city, including reasonable attorneys' fees, due
331 to violations under this Title shall be added to the total amount of the
332 civil penalty assessment. Nothing within this subsection shall prevent
333 the city from acting or seeking relief under any other sections of this
334 code for any violations of this Title.

335
336 ii. The city manager or authorized designee shall send notice of the
337 corresponding civil penalty to the responsible party via regular mail to
338 the last known address of the owner as shown in the records of the
339 county assessor of which the property is located or by personal service.
340 The notice shall describe the nature of the violation and clearly state the
341 civil penalty along with the due date and possible consequences of

342 nonpayment in accordance with this Title. The notice of civil penalty
343 may be combined with the notice of violation and/or administrative
344 order.

345
346 iii. Violations issued under this Title are subject to the following civil
347 penalties. Each day or part of a day any violation occurs or continues is
348 a separate offense.

349
350 1. First notice of violation: not less than \$100.00.

351
352 2. Second notice of violation for the same violation within twelve
353 (12) consecutive months: not less than \$250.00.

354
355 3. Third or subsequent notice of violation for the same violation
356 within twelve (12) consecutive months of the previous violation:
357 not less than \$500.00.

358 **Section 2:** Littleton City Code, Title 7 Health and Sanitation, Chapter 2
359 Garbage and Refuse is hereby repealed and reenacted to read as follows:

360
361 **Chapter 2: Garbage and Refuse**

362
363 7.2.1. Policy. The City Council hereby finds, determines and declares that passage of the
364 provisions contained in this Chapter is necessary and conducive to the protection of the
365 public health, safety, welfare and convenience to provide rules, regulations and standards
366 for the collection, removal and disposal of garbage and refuse within

367
368 7.2.2. Definitions

369 For purposes of this Chapter, the following words and phrases shall have the meanings
370 hereinafter set forth:

371
372 *Collector* means any person providing residential collection services for solid waste, and/or
373 recyclables and organics.

374
375 *Garbage* shall mean all non-putrescible waste, both combustible and noncombustible, and
376 includes, without limitation, ashes, cans, paper, wrappings, cigarettes, cardboard, yard
377 clippings, leaves, branches, wood, waste building materials, glass, bedding, crockery,
378 household appliances, furniture, electronics, machinery, and car parts that are not stored
379 within an enclosed structure. Items may be deemed to be rubbish regardless of whether
380 the item could be put to any reasonable use or has any claimed value.

381
382 *Refuse and rubbish* shall mean solid or liquid wastes, except hazardous wastes, whether
383 putrescible or non-putrescible, combustible or noncombustible, organic or inorganic,
384 including by way of illustration and not limitation, wastes and materials commonly known

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385 as trash, garbage, debris or litter, animal carcasses, offal or manure, paper, ashes,
386 cardboard, cans, yard clippings, glass, rags, discarded clothes or wearing apparel of any
387 kind, or any other discarded object.

388
389 *Responsible Party* – Responsible Party (occupant, owner, agent, tenant) As used in this
390 chapter shall mean either the occupant, tenant, agent or registered owner.

391
392 7.2.3. General Provisions.
393 a. The city may provide trash collection and disposal service available to all
394 residential and commercial users and recycling collection and disposal service
395 available to all residential users within the city, if in the opinion of the Council it is
396 more advantageous to the taxpayer, or where competitive bidding, in accordance
397 with Title 1, Chapter 15 of the code, is unsuccessful.

398
399 b. In the absence of city-provided collection services pursuant to Section 7.2.1 herein,
400 the responsible party of any premises wherein garbage, refuse, or rubbish is
401 produced or accumulated shall provide for collection service and removal of said
402 garbage, refuse, and rubbish to the degree of service necessary to maintain the
403 premises in a clean and orderly condition. A responsible party may dispose of their
404 own garbage, refuse, and rubbish, provided that it is properly disposed of at a
405 landfill or other disposal site approved by the State, and in conformity with all
406 applicable city and county regulations.

407
408 7.2.2. Collection.
409 a. The responsible party of any premise within the city from which garbage, refuse,
410 or rubbish is produced or accumulated shall place said garbage, refuse, or rubbish
411 in a trash container.

412
413 b. Prior to being deposited for collection, all garbage, refuse, and rubbish must be
414 drained of liquid.

415
416 c. All trash must fit securely into the container with the lid closed for collection.

417
418 d. Trash and recycling containers shall always be kept in such a manner as to preclude
419 the scattering of trash and recyclable materials. If such spilling or scattering does
420 occur, it shall be the immediate responsibility of the owner or occupant to remove
421 and properly dispose of such spillage.

422
423 e. Containers and recyclable materials may not, at any time, be placed in such a
424 manner as to impair or obstruct pedestrian, bicycle, or vehicular traffic. No
425 container shall be permanently stored in the public right-of-way.
426
427

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- 428 7.2.3. Nuisance Declared
429
430 a. Any area used for the storage of containers for the collection of garbage and refuse
431 shall be deemed a public nuisance if it is:
432
433 i. offensive to sight;
434
435 ii. in a condition which fosters the propagation of rats or vermin or flies or
436 other insects;
437
438 iii. otherwise unsanitary or hazardous to the public health; or
439
440 iv. in violation of any ordinance or regulation herein, including Offensive
441 Premises, as listed in Section 7.1.3(a).
442
443 b. In all cases where a nuisance shall be found to exist in accordance with this section,
444 notice of the nuisance shall be served by the city upon all responsible parties for
445 causing, permitting, maintaining, or failing to abate the nuisance. Notice shall be
446 given in accordance with section 7.1.5 herein.
447
448 c. If the responsible parties fail to correct the violation as required by the notice
449 prescribed in this section, the city may correct the violation by abatement and
450 charging the costs thereof, in accordance with section 7.1.6.
451
452
453 7.2.4. Tampering with refuse or rubbish container prohibited. No person other than the
454 collector or the responsible party shall tamper with any refuse container or its
455 contents or remove the contents of any refuse container or remove a refuse
456 container from the location where the same has been placed by the owner.
457
458 7.2.5. Burning of Garbage.
459
460 a. Garbage shall not be burned except as provided in subsection (b) herein and the
461 presence of garbage in any ash pit or other unauthorized incinerator shall be
462 considered prima facie evidence of the burning of such garbage in violation of this
463 Chapter. Ash pits shall be used only for the collection and disposition of ashes and
464 shall not be employed for the incineration of garbage or any type of refuse.
465
466 b. Notwithstanding the foregoing section, garbage, refuse, or rubbish may be burned
467 in an approved incinerator, as outlined in Section 5-3-7 of the code, or otherwise
468 disposed of in a manner that is not harmful to the public health, or does not create
469 a nuisance or other unsanitary condition.
470

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471 c. The city manager may adopt such rules and regulations as are necessary to carry
472 out the provisions of this chapter and objectives thereof, such rules to include any
473 rules and regulations promulgated by the state department of health and applicable
474 county agencies.

475
476 7.2.6. Regulations Adopted

477
478 The city manager may adopt such rules and regulations as are necessary to carry out the
479 provisions of this chapter and objectives thereof, such rules to include any rules and
480 regulations promulgated by the state department of health and applicable county agencies.

481
482 **Section 3:** Littleton City Code, Title 7 Health and Sanitation, Chapter 3 Noise
483 Control, Section 5, Subsection E is amended to read as follows:

484
485 7-3-5: SPECIFIC PROHIBITIONS: The following acts enumerated in this section are declared to
486 cause unnecessary noises in violation of this chapter; provided however, that the following
487 enumeration shall not limit section 7-3-4 of this chapter and shall not be deemed to be exclusive:

488
489 E. Loading Operations:

490
491 i) Refuse collection/loading. No waste disposal services or refuse loading and
492 collection or operation of any compacting equipment or similar mechanical device shall
493 take place between the hours of seven o'clock (7:00) P.M. and seven o'clock (7:00) A.M.

494
495 ii) Truck/rail loading. Except for truck loading at retail grocery stores, no truck or
496 rail loading or unloading is allowed within 250 feet of a residential lot between the hours
497 of 10:00 p.m. and 7:00 a.m.

498
499 **Section 4:** Littleton City Code, Title 7 Health and Sanitation, Chapter 4 Grass
500 and Weeds is hereby repealed and reenacted to read as follows:

501
502 **Chapter 4: Grass and Weeds**

503
504 7.4.1. Applicability of Chapter: The provisions of this Chapter shall apply to all real property
505 within the boundaries of the City and any owner of real property within the City, as herein defined,
506 shall be considered to own or to occupy from the center of any alley abutting any parcel of real
507 property to the edge of the traveled portion of any roadway or street abutting the same.

508
509 7.4.2. Advisory Board. The City Council of the City of Littleton, CO shall be the local advisory
510 board for all state and local noxious weed statutes, ordinances, and regulations. The mayor shall
511 be the chair and the mayor pro tem shall be the secretary. A majority of the members of the board
512 shall constitute a quorum.

513
514 7.4.3. Definitions. For the purpose of this Chapter the following words shall mean and include:

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515 *Natural Area:* Any area of park or open space, designated as a "natural area" by the City ,
516 and vegetated with planted grasses, or weeds, grasses and plants occurring according to the
517 usual course of nature.

518
519 *Responsible Party:* Responsible party shall have the meaning ascribed to it under Section
520 7-1-2 of the code.

521
522 *Undeveloped Land.* Any tract of land, or portion of a tract, for which no final site
523 development plan has been approved or no certificate of occupancy has been issued.

524
525 *Weed:* Any undesirable plant or part thereof which has been declared a "noxious weed" by
526 the State of Colorado Noxious Weed Act (C.R.S § 35-5.5-101 et seq), as amended, or by
527 the local advisory board found growing in any lot, tract, or parcel of land within the city.

528
529
530 7.4.4. Weeds declared nuisance.

531
532 a. It is unlawful, and shall constitute a nuisance for any owner of any occupied or unoccupied
533 lot or any parcel of land within the city limits, including, without limitation, public and
534 utility easements and drainage ways within such property, to fail to comply with the terms
535 and conditions of any noxious weed management plan adopted by the city or to permit or
536 maintain on any such parcel of land, or lot, any accumulation, collection, presence or growth
537 of any weeds or any grasses or other herbaceous plants, over eight inches in height or
538 greater.

539
540 b. Exceptions/Defenses:
541
542 1. City-owned parks, open space, stream beds or banks;
543
544 2. Natural areas; wetlands; and
545
546 3. Detention basins.

547
548 7.4.5. Abatement.

549
550 a. In all cases where a nuisance shall be found to exist in accordance with this chapter,
551 notice of the nuisance shall be served by the city upon all responsible parties for
552 causing, permitting, maintaining, or failing to abate the nuisance. Notice shall be
553 given in accordance with section 7.1.6.

554
555 b. If the responsible parties fail to correct the violation as required by the notice
556 prescribed by subsection (a) of this section, the city may correct the violation by

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557 cutting or removing the weeds or grass, and charge the costs thereof, in accordance
558 with section 7.1.7.

559 **Section 5:** Littleton City Code, Title 8 Public Ways and Property, Chapter 1
560 Streets and Sidewalks, Section 4 Public Ways Kept Clear is hereby repealed and reenacted to read
561 as follows:

562
563 8-1-4: PUBLIC WAYS KEPT CLEAR:

- 564
- 565 A. The owner, occupant or agent of the owner of any building, property or vacant lot in the
566 city shall maintain the sidewalks, the parking and curbs, that is, the area from the property
567 line to the gutter adjoining such building, property or vacant lot, in a clean condition.
568
 - 569 B. Any person who pleads guilty, no contest, or is convicted of violating this section shall be
570 liable for punishment by fine in an amount not exceeding three hundred dollars (\$300.00).
571
 - 572 C. Any person in violation of this section shall be civilly liable for damages to any other
573 person who suffers injuries or damages as a result thereof provided, however, that nothing
574 contained herein shall be deemed to preclude the assertion of defenses or be deemed a
575 waiver of limitations on liability which apply pursuant to the laws of this state.
576

577 **Section 6:** Littleton City Code, Title 1 Administrative, Chapter 6 Municipal
578 Court is hereby repealed and reenacted to read as follows:

579
580 1-6-8: MUNICIPAL COURT PROCESS:

- 581
- 582 A. The following persons shall have the authority to issue, execute and serve city municipal
583 court process:
584
 - 585 1. Any commissioned employee of the city's police department or other person who is
586 lawfully deputized by the chief of police for such limited purposes as the chief may
587 designate in writing;
588
 - 589 2. The city's animal control and parking enforcement officers;
590
 - 591 3. Any commissioned police officer working within the city, but who is not employed by
592 the city and who is lawfully deputized by the city's chief of police or the chief of police's
593 designee;
594
 - 595 4. Any city zoning, building inspection, or code compliance official;
596
 - 597 5. The city's sales tax administrator;

598

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- 599 6. Any south metro fire rescue officer;
600
601 7. On those properties owned or managed by the south suburban park and recreation
602 district, its park rangers may issue, execute and serve municipal court process, but only
603 that process, related to alleged violations of Title 6, chapters 1 and 2 and sections 6-9-
604 1, 6-9-2, 6-9-3 and 6-9-5 of this code. Parking violations of sections 1204 and 1208 of
605 the model traffic code, and subsection 9-1-7(A) of this code, and possession or use of
606 fireworks in violation of section 6-4-75;
607
608 8. The city manager, or his designee, but only as to proceedings or alleged violations
609 under Title 8, chapter 4 of this code;
610
611 9. The city's library director, but only as to proceedings or alleged violations under section
612 6-9-6 of this code; or
613
614 10. On those properties owned or managed by Arapahoe community college, any of its
615 campus police officers.
616
617 B. The following persons shall have the authority to execute and serve, but not to issue, city
618 municipal court process:
619
620 1. Any authorized law enforcement official employed outside of the jurisdiction of the
621 city pursuant to sections 13-10-111 and 31-16-110 Colorado Revised Statutes; and
622
623 2. Any person lawfully deputized by the city's chief of police or the chief of police's
624 designee.
625
626 C. The clerk of the municipal court shall issue a subpoena requiring a witness to appear and
627 testify in the municipal court upon the request of either the prosecuting attorney or the
628 defendant. Any subpoena shall be served in conformance with the Colorado municipal
629 court rules of procedure.

630
631 **Section 7:** Severability. If any part, section, subsection, sentence, clause or
632 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the
633 validity of the remaining sections of this ordinance. The City Council hereby declares that it would
634 have passed this ordinance, including each part, section, subsection, sentence, clause or phrase
635 hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or
636 phrases may be declared invalid.
637

638 **Section 8:** Repealer. All ordinances or resolutions, or parts thereof, in conflict
639 with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer
640 clauses of such ordinance nor revive any ordinance thereby.
641
642

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643
644 INTRODUCTION AS A BILL at a regularly scheduled meeting of the City Council
645 of the City of Littleton on the 6th day of August, 2024, passed on first reading by a vote of 7
646 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library,
647 the Municipal Courthouse and on the City of Littleton Website.

648 PUBLIC HEARING on the Ordinance to take place on the 20th day of August,
649 2024, in the Council Chamber, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at
650 the hour of 6:30 p.m., or as soon thereafter as it may be heard.

651
652 PASSED on second and final reading, following public hearing, by a vote of 6 FOR and
653 1 AGAINST on the 20th day of August, 2024 and ordered published by posting at Littleton Center,
654 Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

655

656 ATTEST:

657 DocuSigned by:
658 Calleen L. Norton
659 Calleen L. Norton
660 CITY CLERK

DocuSigned by:
Kyle Schlachter
523G318589A149B
KYLE SCHLACHTER
MAYOR

661 APPROVED AS TO FORM:

662 DocuSigned by:
663 Reid Betzing
664 Reid Betzing
665 CITY ATTORNEY

