TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 5, SERIES 2017

AN ORDINANCE AMENDING CHAPTER 4, ARTICLE 6, SECTION 30
OF THE TIMNATH MUNICIPAL CODE
REGARDING THE COLLECTION OF DELINQUENT FEES

WHEREAS, The Town of Timnath (the "Town") is a home rule municipality operating under
the Timnath Home Rule Charter (the "Charter") adopted on November 7, 2006 and the Town’s
Municipal Code (the "Code"). Pursuant to the Charter, the Code and the authority given home
rule municipalities, the Town may adopt and amend ordinances; and

WHEREAS, the Code contains numerous requirements for payment of charges, assessments,
fees, and taxes to the Town; and

WHEREAS, the Town is authorized by §§ 31-20-105 and 31-20-106, C.R.S. to certify
delinquent charges to the County Treasurer for collection in the same manner as taxes, provided
the Town Council has adopted an ordinance authorizing the same; and

WHEREAS, the Town Council finds that it is in the interest of the Town that delinquent
amounts owing to the Town be promptly paid and that adoption of an ordinance amending the
Code to provide for certification of such amounts to the County Treasurer is an effective and
cost-efficient procedure for the same; and

WHEREAS, The Town Council hereby finds, determines, and declares that this Ordinance is
promulgated under the general police power of the Town, that it is promulgated for the
preservation of public health, welfare, peace, safety and property and that this Ordinance is
necessary for the protection of public convenience and welfare.

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF TIMNATH, COLORADO,
ORDAINS:

ARTICLE 1 – AMENDMENT
The Town Council hereby approves the addition of subsection (c) to Section 4-6-30 of the Code:

Sec. 4-6-30 – Imposition, computation, and collection of fees.

(c) Until paid in full the fees imposed under the provisions of this Article shall be a lien
upon each lot or parcel of land from the due date of the fee until paid. If such fees are not paid
when due, in addition to any other means for collection of the fees provided by law, the Town
may certify such delinquent fees to the County Treasurer and the fees may be collected in the
same manner as though they were part of the taxes on the property. The Town reserves the right
to withhold or revoke any permits, certificates or other approvals to any applicant who is
delinquent in the payment of fees.
ARTICLE 2 – SEVERABILITY
If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance that can be given effect without the invalid provision, part or application, and to this end the provisions and parts of this Ordinance are declared to be severable.

ARTICLE 3 – REPEALER
All ordinances or resolutions, or parts thereof, in conflict with this Ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

ARTICLE 4 – EFFECTIVE DATE
This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter.


MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON JANUARY 24, 2017.

TOWN OF TIMNATH, COLORADO

[Signature]
Jill Grossman-Belisle, Mayor

ATTEST:

[Signature]
Milissa Peters, CMC
Town Clerk