

ORDINANCE NO. 4.101.6, Series of 2021

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 11.16.020, 11.16.050, 11.16.060 AND 11.16.080 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER PROPERTY MAINTENANCE CODE

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

Section 1. Section 11.16.020 of the Parker Municipal Code is amended to read as follows:

11.16.020 International Property Maintenance Code.

Pursuant to Section 7.7 of the Town of Parker Home Rule Charter, the International Property Maintenance Code, 2021 Edition, as published by the International Code Council, Inc. (ICC), 4051 W. Flossmoor Road, Country Club Hills, IL 60478 , is adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

Section 2. Section 11.16.050 of the Parker Municipal Code is amended to read as follows:

11.16.050 Amendments.

The International Property Maintenance Code is amended as follows (section numbers correspond with those in the International Property Maintenance Code).

(1) Delete Chapters 1, 4, 5, 6, 7 and Appendix A and B.

(2) Amend Section 301.2, Responsibility, to read:

"301.2 Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code."

(3) Amend Section 302.4, Weeds, to read:

302.4 Weeds. All *premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of twelve (12) inches in height . . .

The remainder of the Section remains unchanged.

(4) Amend Section 302.9, Defacement of property, to read:

302.9 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti ("Defacement"). Whenever any defacement of property shall be found, the Chief of Police or his or her designee shall order the occupant or owner of the property upon which the defacement exists to remove or correct the same within twenty-four (24) hours or such period in excess of twenty-four (24) hours as designated in writing by the Chief of Police or his or her designee at the expense of the owner of the property or occupant. If the occupant or owner does not comply with the order of the Chief of Police or his or her designee, the Chief of Police or his or her designee may cause the defacement to be removed or corrected and all expense incurred thereby shall be paid by the occupant or owner and may be recovered by the Town in an action against the occupant and/or owner as provided in this Code.

(5) Delete Sections 303, 305, 307, 308 and 309 in their entirety

Section 3. Section 11.16.060 of the Parker Municipal Code is amended to read as follows:

11.16.060 Violation; penalty.

In addition to the penalty provisions contained in the Parker Property Maintenance Code, any person who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than four hundred ninety-nine dollars (\$499.00) for each such violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 4. Section 11.16.080 of the Parker Municipal Code is amended to read as follows:

11.16.080 Effective date.

The ordinance codified in this Chapter shall take effect on January 1, 2022.

Section 5. **Safety Clause.** The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 6. **Severability.** If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court

of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 7. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this 1st day of Nov, 2021.

ATTEST:

Chris Vanderpool
Chris Vanderpool, Town Clerk

Jeff Toborg, Mayor

ADOPTED ON SECOND AND FINAL READING this 15th day of Nov, 2021.

ATTEST:

Chris Vanderpool
Chris Vanderpool, Town Clerk

Jeff Toborg, Mayor

APPROVED AS TO FORM:

James S. Maloney
James S. Maloney, Town Attorney