

**TOWN OF SEDGWICK
ORDINANCE # 01-2009**

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF SEDGWICK, SEDGWICK COUNTY, COLORADO PROVIDING FOR THE COLLECTION OF ANY AND ALL DELINQUENT CHARGES, ASSESSMENTS, OR TAXES MADE OR LEVIED BY CERTIFICATION OF SUCH TO THE COUNTY TREASURER AND FOR COLLECTION IN THE SAME MANNER AS TAXES ARE AUTHORIZED TO BE COLLECTED.

WHEREAS, pursuant to C.R.S. § 31-20-105, the Town may cause any or all delinquent charges, assessments or taxes made or levied to be certified to the treasurer of the county and be collected and paid over by the treasurer of the county in the same manner as taxes; and,

WHEREAS, the Board of Trustees finds that the failure of payment for any and all charges, assessments, or taxes is a financial burden on the Town and its citizens and certification of unpaid charges, assessments, or taxes may allow the Town to collect those fees; and,

WHEREAS, the Board of Trustees is desirous of collection of said fees in compliance with C.R.S. § 31-20-105 and C.R.S. § 31-20-106; it is,

HEREBY, ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SEDGWICK, AS FOLLOWS:

Section 1: The Town Clerk shall prepare and certify a list of any and all delinquent charges, assessments or taxes as authorized by the Town through ordinance or resolution to the Sedgwick County Treasurer as authorized by C.R.S. § 31-20-105. The list shall contain charges against the owner of the property referenced respective of any lots or parcels of land, and assigned address where the assessment is in effect and shall note any perpetual monthly charges, including late fees, against said lots or parcels until paid. The list is to be updated by the Town Clerk as requested by the Sedgwick County Treasurer.

Section 2: Pursuant to C.R.S. § 31-20-106, the Board of Trustees hereby authorizes the Sedgwick County Treasurer to affect collection of said delinquent charges, assessments, or taxes as is applicable under referenced C.R.S. § 31-20-105, and such delinquent charges shall be collected in the same manner as though they were part of the taxes together with a ten percent (10%) penalty thereon to defray the costs of collection, up to and including sale of effected property(ies) at the next general tax sale for which delinquencies have been certified to the Sedgwick County Treasurer by the Sedgwick

Town Clerk.


Section 3: This ordinance shall include any and all fees lawfully assessed by the Town including, but not limited to, any assessments by action of and through Enterprises which exist as authorized by the Board of Trustees and are in full compliance with Amendment 20, Article X of the Constitution of the State of Colorado, (otherwise referred to as the T.A.B.O.R. Amendment) irrespective to such enterprise being formally established or existing by operation of law.


Section 4: If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 5: The repeal or modification of any provision of any prior ordinance by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision and each provision shall be treated and held as still remaining in force for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 6: All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

**SAID ORDINANCE #01-2009 IS; HEREBY,
INTRODUCED, READ, VOTED ON, ADOPTED AND
APPROVED BY THE BOARD OF TRUSTEES OF THE TOWN OF
SEDGWICK, SEDGWICK COUNTY, COLORADO AT A REGULAR
MEETING THIS 6th DAY OF JULY, 2009, AND IS, HEREBY,
ORDERED PUBLISHED BY "TITLE ONLY" IN COMPLIANCE
WITH ORDINANCE #01-2006, AND SHALL BECOME EFFECTIVE
THIRTY(30) DAYS FOLLOWING ITS PUBLICATION.**


Patrick B. Woltemath, Mayor


Attest:
Rhonda K. Jones, Town Clerk

SEAL