

**TOWN OF HUGO
ORDINANCE NO. 292**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
HUGO, COLORADO AMENDING THE NOTICE AND ABATEMENT
PROCESS FOR NUISANCE VIOLATIONS TO REMOVE THE
CERTIFIED MAIL REQUIREMENT**

WHEREAS, Town of Hugo Ordinance Number 254, series 2019 addresses nuisances;

WHEREAS, Section 7 of Ordinance 254 addresses the notice and abatement process for nuisance violations; and

WHEREAS, the Board of Trustees of the Town of Hugo now desires to remove the certified mail requirement from the notice and abatement process for nuisance violations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Hugo as follows:

Section 1. Section 7(a) of Ordinance 254 is amended to read as follows:

Section 7. Notice and Abatement.

a. Notice to abate.

1. Except as defined in Section 4(c) of this ordinance concerning regulation of weeds and weed control, it is the duty of the Town to serve notice upon any person responsible for any nuisance, whether declared by the Town or by direct, written complaint. Such notice shall require said person to abate the nuisance in a reasonable time and manner as prescribed.

2. The Town may authorize the Town Marshal, other Town officials, inspectors, or any other appropriate Town employee, to issue notice of abatement. The reasonable time for abatement shall not exceed fourteen (14) days, unless it appears from the facts and circumstances that compliance within fourteen (14) days is impossible or that the cited party is making a good faith attempt at compliance. Such time for abatement may be as brief as necessary to protect the public health and safety.

3. Such notice to abate shall be in writing, signed by the issuing official, and shall be personally served upon the owner or occupant of the premises upon which said nuisance exists, or, if not occupied, then by posting of the same prominently at some place on the premises upon which said nuisance exists. If service is by posting, then a copy of said notice shall also be mailed to the owner of such property as shown upon the tax rolls of Lincoln County, Colorado, at the address of such owner therein shown.

4. The Town may exercise its authority to issue one abatement notice per violation per calendar year, to allow the person responsible for any nuisance to come into compliance. Any second or subsequent violation shall be a mandatory summons to the Hugo Municipal Court.

Section 2. Severability. 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 anyone, or part, or parts be declared unconstitutional or invalid.

Section 3. Safety. The Board of Trustees finds that the adoption of this Ordinance is necessary for the protection of the public health, safety, and welfare.

Section 4. Effective Date. This Ordinance shall become effective thirty (30) days after publication.

Adopted and ordered published this 14 day of October, 2024.

(Seal)

Kara Emmerling, Mayor

Attest:

Sara Lancaster, Town Clerk