



## LOCAL MAINTENANCE DISTRICTS

- A. **Purpose:** Denver Charter Section 7.7.1, *et seq.*, authorizes the creation of local maintenance districts to provide for the **continuing care, operation, security, repair and maintenance of improvements within pedestrian areas of the public right-of-way.**
- B. **Formation:** Can be initiated and proposed by a petition filed by the property owners of property in the proposed district or ordered by the Manager of Public Works.
1. Upon receipt of a petition, the Manager publishes notice of the proposed district and the date the Manager will hold a hearing for the purpose of considering the desirability and need for the district.
  2. Objections The district cannot be created if written objections are filed by property owners that would be liable for 50% or more of the estimated costs of the district.
  3. City Council Action If the requisite number objections are not received, the Manager submits an ordinance recommending that City Council create the district and apportion the district's costs between the properties in the district based on the proportion of benefits received by each property.
- C. **Creating Ordinance Required:** If the requisite number objections are not received, the Manager proposes an ordinance recommending that City Council create the district. The creating ordinance also apportions the district's operation costs between the properties in the district based on the proportion of benefits received by each property.
- D. **Board of Directors:** Each maintenance district has a board of directors consisting of 5 members. At least three (3) members of each district must be owners or representative of owners of real property within the district. Board members are appointed by the Mayor for three (3) year terms and can be removed for cause. The Manager of Public Works sits on the board of each district. The Manager must approve the use of district assessment funds. District contracting activities are not subject to the City's contracting requirements.
- E. **City Council Sitting as Board of Equalization ("BOE"):** Each year the board of directors for each district determines the total annual operating costs to be assessed against each property in the district based on an estimate provided and published by the Manager. Written complaints and objections are heard at a public hearing held by the City Council sitting as the BOE.
- Standard Used for Determining Objections: Council may confirm the proposed assessment or make modifications that are equitable and just.
- F. **City Council Sitting as City Council:** Subsequent to the BOE hearing City Council must pass an annual ordinance assessing the apportionment of costs determined by the Council sitting as the BOE to finalize the assessment.