Sec. 2-282. - Definitions.

For the purposes of this article the following terms shall have the meanings assigned to them below.

(a) Administrative hearing officer (AHO): A person appointed by a manager to hear appeals of administrative citations.

(b) Enforcement official: A person employed by the city and charged by a manager with enforcing the ordinances of the city.

(c) Manager: The manager of a department of the city or such manager's designee. Unless otherwise specifically stated, wherever "manager" is used in this article it shall mean any manager responsible for enforcing a violation and issuing an administrative citation.

(d) Responsible party: A person or entity who is suspected of having violated the Code or, in the case of property violations, the property owner, or an individual or an entity who, acting as an agent for or other legal capacity on behalf of the owner, has authority over property subject to an administrative citation under this article, or in the case of animal violations, the person who owns, possesses, keeps, exercises control over, maintains, harbors, transports or sells the animal or animals which are the subject of an animal code violation.

(e) Rules and regulations: Such procedures and requirements as are adopted through a rulemaking process as set forth in article VI of this chapter or as provided by ordinance for any specific department.

(Ord. No. 58-08, § 1, 2-4-08)

Sec. 2-284. - Procedures.

(a) Upon discovering a violation of the Code and after having complied with subsection 2-283(b), an enforcement official may issue an administrative citation to a responsible party on a form as specified by rules and regulations.

(b) The enforcement official may require that the responsible party provide evidence of identity and residential or employment address. It shall be unlawful for any person to refuse or fail to provide such evidence of identity and residential or employment address.

(c) The enforcement official shall attempt to issue the administrative citation to the responsible party at the site of any violation or at the responsible party's business or personal address. If the responsible party is not located, a copy of the administrative citation shall be left with any adult person residing or working at the site or at the responsible party's business or personal address, or if no adult person is found at the site or at the responsible party's business or personal address and the violation occurred on private property or on property for which the responsible party has responsibility under an ordinance, then a copy of the administrative citation shall be posted in a conspicuous place on the property on which the violation occurred. If the responsible party is not located, and the offense occurred on public property or on private property for which the responsible party does not have
responsibility under an ordinance, then a copy of the administrative citation shall be left with any adult person residing or working at the responsible party's business or personal address or if no adult person is found, the administrative citation shall be posted in a conspicuous place on the property of the responsible party.

(d) The enforcement official shall attempt to obtain the signature of the person receiving the administrative citation on the citation. If that person refuses or fails to sign the administrative citation, the failure or refusal to sign shall not affect the validity of the citation and subsequent proceedings.

(e) If the enforcement official is unable to issue the administrative citation directly to the responsible party, then, in addition to posting as described in [subsection] (c) above, the administrative citation shall be sent via first class mail to the responsible party. In the case of violations occurring on private property or on property for which the responsible party has responsibility under an ordinance, the administrative citation shall be sent to the most recent mailing address contained in the city's assessment division records for the property in violation or the property of the responsible party. In the case of violations occurring off of private property for which the responsible party has legal responsibility, the administrative citation shall be sent to the most recent mailing address of the responsible party contained in the records of any municipal, state or federal agency, including but not limited to the Colorado Department of Motor Vehicles.

(f) Notice shall be deemed served on the date of receipt by the responsible party, if personally served, or upon the fifth day after mailing of the administrative citation or posting of the property, whichever is later.

(Ord. No. 58-08, § 1, 2-4-08)