

CHAPTER 45

**GOVERNMENT - COUNTY**

SENATE BILL 06-053

BY SENATOR(S) Takis;  
also REPRESENTATIVE(S) Lindstrom, Hodge, and Merrifield.

**AN ACT**

**CONCERNING AN EXPANSION IN THE RESIDENTIAL LOT SIZE FOR WHICH COUNTY GOVERNMENTS ARE AUTHORIZED TO PROVIDE FOR THE REMOVAL OF OVERGROWN VEGETATION.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** 30-15-401 (1) (a) (I.5) (A), Colorado Revised Statutes, is amended to read:

**30-15-401. General regulations.** (1) In addition to those powers granted by sections 30-11-101 and 30-11-107 and by parts 1, 2, and 3 of this article, the board of county commissioners has the power to adopt ordinances for control or licensing of those matters of purely local concern which are described in the following enumerated powers:

(a) (I.5) (A) To provide for and compel the removal of weeds and brush from residential lots of ~~one acre~~ TWO AND ONE-HALF ACRES or less within the county and from the alleys behind and from the sidewalk areas in front of such property at such time, upon such notice, and in such manner as the board of county commissioners may prescribe by ordinance, including removal performed by the county upon notice to and failure of the property owner to remove such weeds and brush, and to assess the reasonable cost thereof, including ten percent for inspection and other incidental costs in connection therewith, upon the property from which such weeds have been removed. Ordinances passed by a board of county commissioners for the removal of weeds and brush pursuant to this sub-subparagraph (A) shall include provisions for applying for and exercising an administrative entry and seizure warrant issued by a county or district court having jurisdiction over the property from which weeds and brush shall be removed. Any assessment pursuant to this sub-subparagraph (A) shall be a lien against such property until paid and shall have priority over all other liens except general taxes and prior special assessments.

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**SECTION 2. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution (August 9, 2006, if adjournment sine die is on May 10, 2006); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 31, 2006