

**BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY**

ORDINANCE NO. 10

**AN ORDINANCE ESTABLISHING A MOSQUITO CONTROL AREA
AND ASSESSING A PORTION OF THE COST THEREOF AGAINST THOSE
PERSONS ESPECIALLY BENEFITTED BY THE SERVICE.**

WHEREAS, pursuant to C.R.S. 30-15-401 (1)(a)(V)(D), the Board of County Commissioners of Gunnison County, Colorado (hereinafter "Board") has the authority to establish mosquito control areas and to assess a portion of the cost thereof against those persons especially benefitted by the service; and

WHEREAS, the Board has determined that control of mosquitos in a particular area of Gunnison County as set forth below is necessary and expedient for the promotion of public health; and

WHEREAS, pursuant to C.R.S. 30-15-401(1)(a)(v)(o), the Board desires to fund mosquito control efforts through a combination of County funds, City of Gunnison funds and assessment against those persons especially benefitted by the service; and

WHEREAS, the Board has obtained the consent of all municipalities within that particular area of Gunnison County pursuant to C.R.S. 30-15-401 (8).

THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY, COLORADO:

SECTION 1

That there is hereby created the Gunnison County Mosquito Control Area (hereinafter "Area") which is that portion of Gunnison County lying inside of a line:

commencing at the southwestern corner of Section 6, Township 49 North, Range 1 East of the New Mexico Principal Meridian;

thence running east to the southeastern corner of Section 4, Township 49 North, Range 1 East;

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thence running north to the northeastern corner of Section 33, Township 50 North, Range 1 East;

thence running west to the northwestern corner of Section 32, Township 50 North, Range 1 East;

thence running north to the northwestern corner of Section 29, Township 50 North, Range 1 East;

thence running east to the northeastern corner of Section 29, Township 50 North, Range 1 East;

thence running north to the northeastern corner of Section 8, Township 50 North, Range 1 East;

thence running west to the south quarter corner of Section 1, Township 50 North, Range 1 West;

thence running north to the northeastern corner of the southwestern quarter of Section 1, Township 50 North, Range 1 West;

thence running west to the northwestern corner of the southwestern quarter of Section 2, Township 50 North, Range 1 West;

thence running south to the southwestern corner of Section 35, Township 50 North, Range 1 West;

thence running west to the northwest corner of Section 3, Township 49 North, Range 1 West;

thence running south to the northeastern corner of Section 9, Township 49 North, Range 1 West;

thence running west to the northwestern corner of Section 7, Township 49 North, Range 1 West;

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thence running south to the southwestern corner of Section 18, Township 49 North, Range 1 West;

thence running east to the southeastern corner of Section 14, Township 49 North, Range 1 West;

thence running north to the northeastern corner of Section 14, Township 49 North, Range 1 West;

thence running east to the southeastern corner of Section 12, Township 49 North, Range 1 West

thence running north to the northeastern corner of Section 12, Township 49 North, Range 1 West, which is the point of beginning.

SECTION 2

The Board may provide for the control of mosquitoes in the Area in such manner as the Board in its sole discretion determines including but not limited to contract for materials and labor.

SECTION 3

A. That each year the whole cost (hereinafter "Cost") of controlling mosquitoes within the Area, including materials and labor, and ten percent of the cost of materials and labor for inspection, administration and all other incidental costs in connection therewith, shall be funded through a combination of:

1. approximately one third of the cost to be borne equally by the County of Gunnison and the City of Gunnison; and
2. approximately two thirds of the cost to be assessed against those especially benefitted by the services by a formula to be determined on an annual basis by the Board.

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B. Such assessment shall be a lien against such property until paid and shall have priority over all other liens except general taxes and prior special assessments.

C. In case such assessment is not paid at the time due for the tax bill next due after the assessment is made, such assessment may be certified by the Clerk of Gunnison County to the Treasurer of Gunnison County, who shall collect the assessment, in the same manner as other taxes are collected. The laws of the State of Colorado for assessment and collection of general taxes, including the laws for the sale and redemption of property for taxes, shall apply to the collection of such assessments.

SECTION 4

A. Gunnison County Ordinance No. 7, An Ordinance Establishing A Mosquito Control Area And Assessing A Portion Of The Cost Thereof Against Those Persons Especially Benefitted By The Service; is hereby repealed on the effective date of the adoption of this Ordinance No. 10, except that each and every assessment, lien or liability of a person or persons especially benefitted by Ordinance No. 7, existing or which may exist, shall survive this repeal.

SECTION 5

A. This Ordinance is repealed, effective December 31, 2003, without further action, except that assessments then owed and liens then in existence pursuant to this Ordinance shall continue in full force and effect including but not limited to collection by the County Treasurer as set forth herein.

INTRODUCED, FIRST READ and ORDERED PUBLISHED in full this 8 day of December, 1998.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

By Fred Field
Fred Field, Chairperson

Attest: Kathy Simillion
Clerk

READ ON SECOND READING, ADOPTED AND ORDERED PUBLISHED in full
this 22nd day of December, 1998.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

By 
Fred Field, Chairperson

Attest:


Clerk

CERTIFICATION

I hereby certify that the foregoing five pages constitute a complete and correct copy of an ordinance introduced and read in full at a regular meeting of the Board of County Commissioners of Gunnison on the 7th day of December, 1998. Said ordinance was thereafter published in full once at least ten days before the second reading in the Gunnison Country Times newspaper of general circulation in Gunnison County on December 10, 1998.

On the 22nd day of December, 1998, said ordinance was read in full, adopted by a majority vote of the Board of County Commissioners and was thereafter published in full in the Gunnison Country Times on December 24, 1998.

Jeanne Reitzel
Clerk

EFFECTIVE DATE: December 22, 1998

