

**CITY OF ENGLEWOOD
ORDINANCE NO. 25-23**

**ORDINANCE AMENDING CHAPTER 380-22 OF THE CODE
OF THE CITY OF ENGLEWOOD PERTAINING TO COMMERCIAL SIDEWALKS**

WHEREAS, Chapter 380-22 of the Englewood City Code Prohibiting Encumbrances and Obstruction on Sidewalks in the City of Englewood; and

WHEREAS, the Governing Body seeks to prohibit garbage, refuse and waste from being placed on commercial sidewalks and require business owners, operations and commercial property owners to maintain commercial sidewalks in front of or abutting said properties and keep them free of garbage, refuse and waste.

NOW THEREFORE BE IT ORDAINED that Chapter 380-22 is hereby amended as follows:

A. Except as otherwise permitted or required by ordinance or specifically authorized by resolution of the City Council, no person shall:

(1) Encumber or obstruct or suffer or permit to be encumbered or obstructed any public street, sidewalk, alley or public place by the erection or construction of any stoop, step, platform, window, cellar door, area, descent into a cellar or basement, bridge, sign, or any post, erection or projection, including public telephones, in, over or upon any public street, sidewalk, alley or public place; or

(2) Throw, put or place, or cause or permit to be thrown, put or placed, into, upon or within any public street, sidewalk, alley or public place, garbage, refuse, waste any article, substance, garbage, refuse, waste matter or thing whatsoever, whereby the safe, free or unobstructed use of the same by the public for vehicular or pedestrian traffic may be in any way interfered with. With respect to commercial sidewalks all commercial business owners, operators and property owners shall be responsible for removing any garbage, refuse and waste placed on the sidewalk in front of their establishment and/or property regardless of who placed it in said location as property and business owners are responsible for the maintenance, repair and conditions of commercial sidewalks adjacent to their business and property.

B. Within 24 hours following receipt of a notice from the City of Englewood, the owner of the premises upon which any unlawful encumbrance or obstruction is located shall remove such unlawful encumbrance or obstruction.

C. In the event of the failure or refusal of the owner of such premises to have such unlawful encumbrance or obstruction removed, the City of Englewood may cause the removal of such obstruction or encumbrance at the expense of the property owner, which cost a lien against the aforesaid premises.

NOW BE IT FURTHER ORDAINED that Chapter 380-10 Entitled Violation and Penalties is hereby amended as follows:

Any person who violates any provision of this Article, shall upon conviction thereof, be punished by a fine of \$100 for the first offense; \$200 for a second offense; and \$500 for a third and subsequent offenses. In addition to the foregoing fines any person who violates this Chapter may be imprisoned for a term not exceeding 90 days.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies. All other Ordinances or parts of Ordinances shall otherwise remain in full force and effect.

If any Article, Sections, Subsection, paragraph, phrase or sentence is for any reason held to be unconstitutional or invalid said Article, Section, Subsection, paragraph, phrase or sentence shall be deemed severable.

This Ordinance shall take effect immediately upon final publication as provided by law.

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RECORD OF VOTE

FIRST READING DATE: April 22, 2025

COUNCIL	MOTION	VOTE
David	X	Y
Rosenzweig		Y
Tokayer		Y
Wilson		Y
Wisotsky		Y

DATE PUBLISHED IN THE RECORD: April 28, 2025

DATES PUBLIC HEARINGS HELD: May 6, 2025

DATE SECOND READING HELD: May 6, 2025

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
David						
Rosenzweig						
Tokayer						
Wilson						
Wisotsky						

Y=YES

N=OPPOSED

A=ABSTAINED

AB=ABSENT

PRESENTED TO MAYOR:

APPROVED _____

REJECTED _____ (VETO)

DATE: _____

MAYOR MICHAEL WILDES

I do hereby certify that the foregoing is a true and exact copy of an Ordinance adopted and approved by the Mayor and Council of the City of Englewood.

Yancy Wazirmas, RMC
City Clerk