

ORDINANCE NO. 2008-2

AN ORDINANCE ASSESSING THE COST OF THE COUNTY'S MOSQUITO CONTROL AREA AGAINST THOSE PERSONS ESPECIALLY BENEFITED BY THE SERVICE, AND AMENDING ORDINANCE NO. 2006-4.

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

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

WHEREAS, the integrated pest management ("IPM") approach to mosquito control is defined as "a process consisting of the balanced use of cultural, biological, and chemical procedures that is environmentally compatible and economically feasible to reduce pest populations to a tolerable level," and exemplifies Boulder County's preferred approach to promoting public health; and

WHEREAS, the Board desires to assess the whole cost of mosquito control through IPM, to the greatest degree possible, against those persons especially benefited by the service.

NOW, THEREFORE, BE IT ORDAINED

Section 1. That the Boulder County Mosquito Control Area (hereinafter "Area") created by Ordinance No. 94-2 and amended by Ordinance Nos. 95-1, 95-3, 98-2, 2002-1, 2003-1 and 2006-4 shall continue to exist, such area being that portion of Boulder County, excluding incorporated lands, described as follows:

Township 1 South, Range 69 West
Sections 1 - 36

Township 1 South, Range 70 West
Sections 1 - 4, 9-12, West ½ of 15, 16, North ½ 21.

Township 1 North, Range 69 West
Sections 1 - 36

Township 1 North, Range 70 West
Sections 1 - 36

Township 2 North, Range 69 West
Sections 1 - 36

Township 2 North, Range 70 West
Sections 1 - 36

Township 2 North, Range 71 West
Sections 12, 13, 24

Township 3 North, Range 69 West
Sections 1 - 36

Township 3 North, Range 70 West
Sections East $\frac{1}{2}$ 1, East $\frac{1}{2}$ 12, 13, South $\frac{1}{2}$ 14, North $\frac{1}{2}$ 20, 21
- 28, E $\frac{1}{2}$ 32, 33 - 36

Section 2. That the integrated pest management ("IPM") approach to mosquito control be utilized; however, except for the mandatory use of IPM, 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, contracting for materials and labor.

Section 3. That the whole cost (hereinafter "Cost") of controlling mosquitoes within the Area, including, without limitation, the cost of materials and labor, costs of inspection, advertising, and printing, program administration, education plan implementation, and all other incidental costs in connection therewith, shall be assessed against those especially benefited by the services, such assessment to be an equal, annual assessment upon all parcels of real property located within the Area, except that tax exempt properties, unimproved properties that are assessed "Agriculture," natural resources, oil and gas production, and state-assessed utilities, as defined by the Boulder County Assessor, shall not be assessed.

Section 4. The Cost to be assessed annually against property in the Area, minus the exceptions listed above, shall be assessed on a per lot basis, and the amount to be assessed per lot shall be \$26.91.

Section 5. The Board hereby certifies these assessments to the Boulder County Treasurer to be assessed and collected, as are general taxes.

Section 6. This ordinance shall remain in effect until amended or repealed.

INTRODUCED AND FIRST READ on September 16, 2008, **AMENDMENTS PUBLISHED** in the Longmont Times-Call on September 21, 2008, **ADOPTED ON SECOND AND FINAL READING** on October 7, 2008.

BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY:

By: Ben Pearlman
Ben Pearlman, Chair

ATTEST:

Walter Fyler Clerk to the Board



AFFIDAVIT OF PUBLICATION

DAILY TIMES-CALL

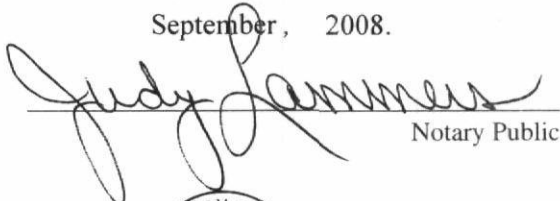
State of Colorado
County of Boulder

I, the undersigned agent, do solemnly swear that the DAILY TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld Counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the act of March 3, 1879, or any amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the state of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of subscribers of said newspaper, according to the accustomed mode of business in this office.

That the annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper date September 21, 2008.


Agent

Subscribed and sworn to before me this 21st
day of September, 2008.


Notary Public

FEE \$ 4.95



MY COMMISSION EXPIRES
OCTOBER 4, 2008
637 RIDER RIDGE DR.
LONGMONT
COLORADO 80501

NOTICE
AN ORDINANCE ASSESS-
ING THE COST OF THE
COUNTY'S MOSQUITO
CONTROL AREA AGAINST
THOSE PERSONS ESPE-
CIALY BENEFITED BY
THE SERVICE, published in
full on September 5, 2008,
was amended as follows: the
amount to be assessed per lot
shall be \$26.91.
Published in the Times-Call,
Longmont, Colorado,
September 21, 2008