

**FIRST READING: August 15, 2023**

**SECOND READING: August 29, 2023**

**ORDINANCE NO. 6629**

**AN ORDINANCE AMENDING SECTION 7.28.010(A) OF THE  
LOVELAND MUNICIPAL CODE CONCERNING THE TIME PERIOD  
FOR THE PRESUMPTION OF ABANDONED PROPERTY OTHER  
THAN MOTOR VEHICLES**

**WHEREAS**, section 7.28.010, subsection (A), of the Loveland Municipal Code (“Code”) currently sets a period of 72 hours as the presumption for property to be considered abandoned for purposes of removal and disposal of abandoned property found upon the streets or alleys of the city or upon any property of the city, or upon property other than his or her own without the consent of the owner; and

**WHEREAS**, it has come to the attention of the City Council that the Code, as currently written, does not adequately allow the City the ability to quickly and efficiently remove such abandoned property and dispose of it pursuant to police department policy; and

**WHEREAS**, City Council finds that an amendment to Section 7.28.010, subsection (A), of the Loveland Municipal Code concerning the time period for the presumption of abandoned property is necessary and in the interest of the health, safety, and welfare of the citizens of Loveland.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOVELAND,  
COLORADO ORDAINS:**

**Section 1.** That Section 7.28.010, subsection (A) – Abandonment defined - of the Loveland Municipal Code is amended to read as follows:

- A. No person shall abandon any bicycle or other personal property, excluding motor vehicles, upon the streets or alleys of the city or upon any property of the city, or upon property other than his own without the consent of the owner thereof. Any bicycle or other personal property so left on privately owned property longer than 2 hours shall be presumed to be abandoned, unless prior arrangements with the owner of the property have been made. Any bicycle or other personal property, excluding motor vehicles, left unattached within any portion of the streets or alleys of the city or on any property of the city for a period of 2 hours or more shall be presumed abandoned, unless the owner or operator thereof has conspicuously affixed thereto information indicating his intention to return or has otherwise notified the police department of the city of his intention to move the same. The City shall adopt policies regarding the handling of abandoned property including

the removal, return, or disposal of or the sale, gifting or other transfer of abandoned property.

**Section 2.** That the implementation of amended Section 7.28.010(A) will be delayed by thirty (30) days from the date of adoption by City Council to allow the City to establish written policies and procedures for the identification, and distinction, of personal property, refuse, rubbish, and biohazardous materials, as well as the procedure for retrieving stored personal property held by the City pursuant to such section.

**Section 3.** That if any title, chapter, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid or unconstitutional.

**Section 4.** That the City Council hereby finds, determines, and declares that this ordinance is necessary for the preservation of the public health, safety, and welfare.

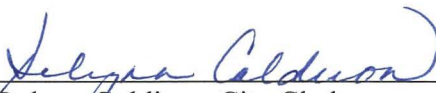
**Section 5.** That copies of this Ordinance shall be kept on file with the Loveland City Clerk and are open to public inspection.

**Section 6.** That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full. This Ordinance shall be in full force and effect ten days after its final publication, as provided in City Charter Section 4-8(b).

ADOPTED this 29<sup>th</sup> day of August 22, 2023.

  
\_\_\_\_\_  
Jacki Marsh, Mayor

ATTEST:

  
\_\_\_\_\_  
Delynn Coldiron, City Clerk

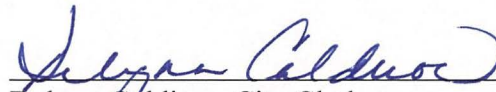


**APPROVED AS TO FORM:**

  
Assistant City Attorney

Ordinance 6629

I, Delynn Coldiron, City Clerk of the City of Loveland, Colorado, hereby certify that the above and foregoing Ordinance was introduced at a regular (or special) meeting of the City Council, held on August 15, 2023 and was initially published in the Loveland Daily Reporter-Herald, a newspaper published within the city limits, in full on August 19, 2023 and by title except for parts thereof which were amended after such initial publication which parts were published in full in said newspaper on September 2, 2023.

  
Delynn Coldiron, City Clerk



Effective Date: September 12, 2023