

FORT COLLINS

MUNICIPAL CODE

1987

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PREFACE

The Town of Fort Collins was incorporated by an order of the Board of County Commissioners of Larimer County, Colorado, on February 3, 1873. The Town of Fort Collins became a city of the second class on February 2, 1883, and the first Charter, establishing a Commission form of government, was adopted at an election held on September 16, 1913. The present Charter of the City of Fort Collins, establishing the Council-Manager form of government, was adopted by the electors of the City on October 5, 1954.

The City of Fort Collins has, like many other municipalities, passed through the struggles that characterize all American communities in their early history. While only a few simple laws were necessary at the time of the incorporation in 1873, subsequent growth of the community, together with the complexity of modern life has created the need for more and detailed ordinances for the proper function and government of the City of Fort Collins. The recording of local law is an aspect of municipal history and as the community develops and changes, review and revision of old laws and consideration of new laws in the light of current trends must keep pace. The orderly collection of these records is an important step in the ever-continuing process. Ordinances must be more than mere chronological enactments reposing in the pages of old records. They must be available and logically arranged for convenient use, and must be kept up-to-date. It was with thoughts such as these in mind that the City Council of the City of Fort Collins ordered the following codification of ordinances.

Contents of Code

This Code constitutes a complete recodification of the ordinances of the City of Fort Collins of a general and permanent nature.

Source materials used in the preparation of the Code were the 1972 Code, as supplemented through September 2, 1986, and ordinances subsequently adopted by the City Council. The source of each section is included in the history note appearing in parentheses at the end thereof. The absence of such a note indicates that the section is new and was adopted for the first time with the adoption of the Code. By use of the comparative tables appearing in the back of this volume, the reader can locate any section of the 1972 Code, as supplemented, and any subsequent ordinance included herein.

The chapters of the Code have been conveniently arranged in alphabetical order and the various sections within each chapter have been catchlined to facilitate usage. Footnotes which tie related sections of the Code together and which refer to relevant state laws have been included. A table listing the state law citations and setting forth their location within the Code is included at the back of this volume.

Numbering System

The numbering system used in this Code consists of two component parts separated by a dash, the figure before the dash referring to the chapter number and the figure after the dash referring to the position of the section within the chapter. Thus, the first section of Chapter 6 is numbered 6-1 and the second section of Chapter 7 is 7-2. Under this system, each section is identified with its chapter and at the same time new sections or even whole chapters can be inserted in their proper place simply by using the decimal system for amendments. By way of illustration: If new material consisting of three sections that would logically come between §§ 5-1 and 5-2 is desired to be added, such new sections would be numbered 5-1.1, 5-1.2 and 5-1.3 respectively. New chapters may be included in the same manner. If the new material is to be included between Chapters 8 and 9, it will be designated as Chapter 8.5. Care should be taken that the alphabetical arrangement of chapters is maintained when including new chapters. New articles and new divisions may be included in the same way or, in the case of articles, may be placed at the end of the chapter embracing the subject, and, in the case of divisions, may be placed at the end of the article embracing the subject, the next successive number being assigned to the article or division.

Tables

Various reference tables have been provided for assistance to the user. The *Statutory Reference Tables* contain references to Colorado Revised Statutes. The *Code Comparison Table* and *Disposition of Ordinances Table* identify the sources for the contents of the code. The *Code Comparison Table* identifies prior code sections and their location

in the current code. The *Ordinance Disposition Table* provides ordinance numbers in chronological order and location by section number for the present code contents. Thus, if there is interest in determining whether a prior code section, an ordinance or a portion thereof is contained within the code, the *Code Comparison Table* and *Disposition of Ordinances Table* will provide that information. The *Table of Up-to-Date Pages* lists all of the current pages through the most recent supplementation.

Index

The Index has been prepared with the greatest of care. Each particular item has been placed under several headings, some of the headings being couched in lay phraseology, others in legal terminology, and still others in language generally used by municipal officials and employees. There are numerous cross references within each index which stand as guideposts to direct the user to the particular item in which the user is interested.

Looseleaf Supplements

The Code will be kept up-to-date periodically by the City. Upon the final passage of amendatory ordinances, they will be properly edited without substantive changes and the appropriate page or pages affected will be reprinted. These new pages will be distributed to holders of copies of the Code, with instructions for the manner of inserting the new pages and deleting the obsolete pages.

Acknowledgments

This Code was accomplished in 1987 with the assistance of the City staff, especially the input of Kathy Allin, Molly Davis, Susanne Edminster, John Huisjen, Rita Knoll, Wanda Krajicek and Joan Richard. The Code has subsequently been reprinted in its entirety in order to consolidate the pages.

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ORDINANCE NO. 153, 1987
OF THE COUNCIL OF THE CITY OF FORT COLLINS

*Adopting and Enacting a New Code for the City of Fort Collins; Providing for the
Repeal of Certain Ordinances Not Included Therein; Providing a Penalty for the Violation Thereof;
Providing for the Manner of Amending Such Code; and Providing When Such Code and
This Ordinance Shall Become Effective*

Be It Ordained by the Council of the City of Fort Collins:

Section 1. The Code entitled the "Code of the City of Fort Collins" published by Municipal Code Corporation consisting of Chapters 1 through 29, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before March 17, 1987, and not included in the Code or recognized and continued in force by reference therein are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that had been previously repealed by any ordinance being repealed by this ordinance.

Section 4. The following codes were adopted by reference and incorporated in the Code of the City of Fort Collins, Colorado. Three (3) copies of these codes are on file in the City Clerk's office.

- (1) The Uniform Building Code, 1985 Edition as published by the International Conference of Building Officials, as adopted and amended in Code § 5-26 et seq.;
- (2) The Uniform Building Code Standards, 1985 Edition as published by the International Conference of Building Officials, as adopted and amended in Code § 5-26 et seq.;
- (3) The Uniform Plumbing Code, 1985 Edition including appendices as published by the International Association of Plumbing and Mechanical Officials, as adopted and amended in Code § 5-125 et seq.;
- (4) The National Electrical Code, 1987 Edition as published by the National Fire Protection Association and the Uniform Administrative Code Provisions for the National Electrical Code, 1987 Edition, as published by the International Conference of Building Officials as adopted and amended by Code § 5-80 et seq.;
- (5) The Uniform Mechanical Code, 1985 Edition including Appendices A, B, and C as published by the International Conference of Building Officials as adopted and amended by Code § 5-106 et seq.;
- (6) The Uniform Code for the Abatement of Dangerous Buildings, 1976 Edition as published by the International Conference of Building Officials, as adopted in Code § 5-46;
- (7) The Uniform Fire Code, 1985 Edition, Articles 1 through 87 and Appendices as published by the Western Fire Chiefs Association and the International Conference of Building Officials, as adopted and amended in Code § 9-1 et seq.;
- (8) The "Model Traffic Code for Colorado Municipalities" 1977 Edition, Articles I through XXVI, as published by the state Department of Highways, as adopted and amended in Code § 28-16 et seq.

Section 5. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code, any code adopted by reference, or any ordinance adopted or issued in pursuance thereof, shall be punished by a fine of not more than nine hundred dollars (\$900.) or a term of imprisonment of not more than one hundred eighty (180) days or both fine and imprisonment as provided in § 1-15 of the Code. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. The penalty provided by this Section, unless another penalty is expressly provided, shall apply to the amendment of any Code section whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 6. Additions or amendments to the Code, when passed in the form as to indicate the intention of the city to make the same a part of the Code, shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 7. The City Clerk shall distribute such sets of the Code and amendments thereto as may be necessary to the various departments of the city for official use of city officers, boards and commissions, and for exchange purposes for similar publications of other cities. All volumes designated for official use shall remain the property of the city for the use of such city officials and their successors and shall bear such designation. The City Clerk shall prepare or cause to be prepared a list of the city officers, and boards and commissions who shall receive for official use copies of such Code. The City Clerk shall make the Code and supplements thereto available to the public, and shall charge therefor such fees as are reasonable.

Section 8. Ordinances adopted after March 17, 1987, that amend or refer to ordinances that have been codified in the Code, shall be construed as if they amend or refer to those provisions of the Code.

Section 9. This ordinance shall become effective October 30, 1987.

Introduced, considered favorably on first reading, and ordered published this 6th day of October, A.D. 1987, and to be presented for final passage on the 20th day of October, A.D. 1987.

/s/ Ed Stoner
Assistant Mayor

ATTEST:

/s/ Wanda M. Krajicek
City Clerk

Passed and adopted on final reading this 20th day of October, A.D. 1987.

/s/ L. J. Estrada
Mayor

ATTEST:

/s/ Wanda M. Krajicek
City Clerk

FORT COLLINS MUNICIPAL CODE

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