

ORDINANCE NO. 175, 2017  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
DELETING CHAPTER 12, ARTICLE VIII FROM THE CODE OF THE  
CITY OF FORT COLLINS REGARDING HYDRAULIC FRACTURING

WHEREAS, in May 2016, the Colorado Supreme Court decided in *City of Fort Collins v. Colorado Oil and Gas Association* that the City's moratorium on hydraulic fracturing was preempted by state law and was invalid and unenforceable; and

WHEREAS, City Code sections 12-135 and 12-136 set forth the City's hydraulic fracturing moratorium regulations; and

WHEREAS, because the City's hydraulic fracturing moratorium is invalid and unenforceable, City Code section 12-135 and 12-136 are invalid and unenforceable and should be removed from the City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

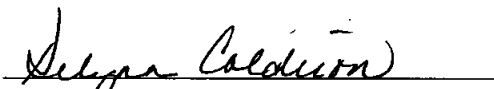
Section 2. That Chapter 12, Article VIII is hereby deleted in its entirety from the Code of the City of Fort Collins.

Section 3. That the deletion of Sections 12-135 and 12-136 from the Code of the City of Fort Collins shall not invalidate or otherwise affect any operator agreement executed in association with such Code sections.

Introduced, considered favorably on first reading, and ordered published this 19th day of December, A.D. 2017, and to be presented for final passage on the 2nd day of January, A.D. 2018.


  
Mayor

ATTEST:

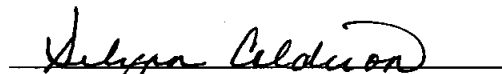
  
City Clerk



Passed and adopted on final reading on the 2nd day of January, A.D. 2018.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk