

ORDINANCE NO. 002, 2004
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 17 OF THE CODE OF THE CITY OF FORT COLLINS
BY THE ADDITION OF A NEW SECTION 17-45 TO MAKE IT
UNLAWFUL FOR ANY PERSON TO DAMAGE OR DESTROY
PUBLIC IMPROVEMENTS IN PUBLIC RIGHTS-OF-WAY UNLESS
AUTHORIZED OR PERMITTED TO DO SO IN ACCORDANCE WITH LAW

WHEREAS, the City has experienced situations where various activities performed by contractors, suppliers and other persons for private construction projects causes damage to pavement, curbs, gutters, sidewalks, traffic control signs and signals and/or other improvements within the public rights of way; and

WHEREAS, on those occasions where such damage is caused by parties who are not governed by any permit or development agreement, it is difficult for the City to prevent such damage or to receive compensation for damages already incurred; and

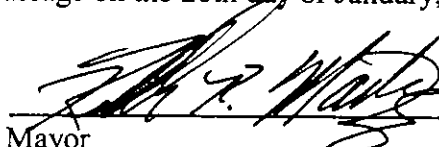
WHEREAS, the Council has determined that Chapter 17 of the Code of the City of Fort Collins should be amended by the addition of a new Section 17-45 to assist the staff of the City in preventing persons from causing such damage, and if such damage is caused, to assist the City in recovering the costs of repairing such damage.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that Chapter 17 of the Code of the City of Fort Collins be amended by the addition of a new Section 17-45 to read as follows:

Sec. 17-45. Damage to Public Property

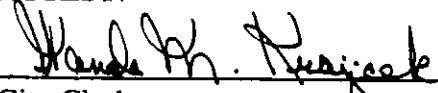
No person shall damage, deface or destroy any street, sidewalk, curb, gutter, traffic control sign or signal, or any other public property or equipment located within a public right-of-way, unless authorized or permitted by law. Any person convicted of violating this Section shall be responsible to the city for all costs incurred by the city in repairing such damage. The terms "public property" and "public right-of-way" as used in this Section shall have the meanings ascribed to them in § 17-42 of the Code.

Introduced and considered favorably on first reading and ordered published this 6th day of January, A.D. 2004, and to be presented for final passage on the 20th day of January, A.D. 2004.



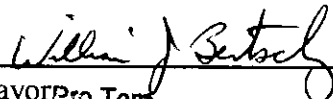
Mayor

ATTEST:



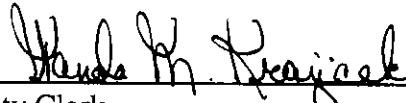
City Clerk

Passed and adopted on final reading this 20th day of January, A.D. 2004.



Mayor Pro Tem

ATTEST:



City Clerk