

RESOLUTION 2014-097
OF THE COUNCIL OF THE CITY OF FORT COLLINS
REFERRING ORDINANCE NO. 099, 2014, AMENDING CHAPTER 12 OF
THE CODE OF THE CITY OF FORT COLLINS
TO ESTABLISH REGULATIONS REGARDING DISPOSABLE BAGS,
TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY
AT THE NEXT REGULAR MUNICIPAL ELECTION ON APRIL 7, 2015

WHEREAS, on August 19, 2014, the City Council adopted on second reading Ordinance No. 099, 2014, Amending Chapter 12 of the Code of the City of Fort Collins to Establish Regulations Regarding Disposable Bags (the "Ordinance"); and

WHEREAS, on August 26, 2014, a registered elector commenced referendum proceedings by filing with the City Clerk a notice of protest against the Ordinance; and

WHEREAS, on September 9, 2014, the City Clerk approved the form of the referendum petition relating to the Ordinance (the "Referendum Petition"); and

WHEREAS, on September 29, 2014, the Referendum Petition was filed with the City Clerk; and

WHEREAS, on October 10, 2014, the City Clerk determined that the Referendum Petition contained the requisite number of signatures (at least 2,604) to warrant further action by the City Council; and

WHEREAS, under Article X, Section 2(e) of the City Charter, the presentation to the City Council of a petition certified by the City Clerk as sufficient for referendum automatically suspends the operation of the Ordinance pending repeal by the Council or final determination by the electors; and

WHEREAS, under Article X, Section 2(e) of the City Charter, if the Ordinance is not repealed, the Council must refer the same to a vote of the registered electors at the next regular or special city election, or, in the alternative, call a special election for that purpose; and

WHEREAS, the City Council has determined that the Ordinance should not be repealed by the Council but should instead be referred to the registered electors at the next regular City election.

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

Section 1. That Ordinance No. 099, 2014, Amending Chapter 12 of the Code of the City of Fort Collins to Establish Regulations Regarding Disposable Bags, is hereby referred to the registered electors of the City of Fort Collins at the next regular city election to be held on Tuesday, April 7, 2015, in the following form:

CITIZEN-REFERRED ORDINANCE

On August 19, 2014, the City Council adopted on second reading Ordinance No. 099, 2014, Amending Chapter 12 of the Code of the City of Fort Collins to Establish Regulations Regarding Disposable Bags (the "Ordinance"), which established certain regulations regarding the use of disposable bags, including disposable bag charge requirements, and the retention and administration of the disposable bag charge. A petition signed by a sufficient number of registered electors was submitted to the City Clerk seeking the repeal of the Ordinance. On October 21, 2014, the City Council referred the Ordinance to the registered electors of the City at this election, as permitted by the City Charter. Shall the Ordinance be repealed?

YES _____
NO _____

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 21st day of October, A.D. 2014.

Mayor

ATTEST:

City Clerk