

ORDINANCE NO. 161, 2018
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 26 OF THE CODE OF THE CITY OF FORT COLLINS
TO ADD DEFINITIONS FOR DATA MANAGED BY UTILITY SERVICES

WHEREAS, the Colorado Open Records Act, codified at Colorado Revised Statutes Sections 24-72-101 et. seq., establishes standards to protect public utility user information from parties other than parties in interest, and creates exceptions for utilities to provide such information in a form that prevents identification of users and as required to support criminal investigations; and

WHEREAS, on December 20, 2005, the City Council adopted Ordinance No. 155, 2005 amending Chapter 26 of the City Code by adding Section 26-26 to define the scope of confidentiality afforded utility customer records under the Colorado Open Records Act and to clarify that the use of those records for City Code enforcement is appropriate and consistent with the intended protection of that information from general public access; and

WHEREAS, Chapter 26 of the City Code regulates and governs the provision of utility services and sets forth definitions of terms used to describe and applicable to conditions for receipt of utility services; and

WHEREAS, such provisions require updating and modification from time to time, for purposes of clarification and to ensure the Code remains a dynamic document capable of responding to issues identified by staff, customers, and citizens and changes in the law regarding the delivery of public utility services; and

WHEREAS, Fort Collins Utility Customer Connections staff has identified definitions to be added to Chapter 26 of the City Code to clarify how user data is managed and to better inform customers and align with current utility practices; and

WHEREAS, in light of the foregoing, the City Council has determined the amendment of Chapter 26 of the City Code is necessary and will be beneficial for the ratepayers of the City's utilities and for the efficient administration of Utility and Code enforcement functions.

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 Section 26-1 of the City Code is hereby amended by addition of two new definitions to read as follows:

Sec. 26-1. - Definitions.

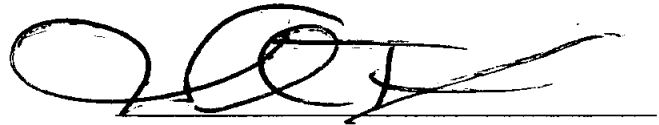
The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section:

Aggregated data shall mean reports of utility user data at a meter-level for single family accounts or building-level for multi-family and commercial accounts, alone or combined with other anonymized data resulting from statistical processing, including average consumption and consumption per square foot. In compiling such information (i) the time interval for data reported shall be no less than monthly; and (ii) each report shall reflect information from no fewer than four utility accounts.

Anonymized data shall mean utility user data from which account information has been removed so no individual user's name, contact information, financial data, or habits can be determined from the aggregated results.

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Introduced, considered favorably on first reading, and ordered published this 4th day of December, A.D. 2018, and to be presented for final passage on the 18th day of December, A.D. 2018.



Mayor

ATTEST:




City Clerk

Passed and adopted on final reading on the 18th day of December, A.D. 2018.



Mayor

ATTEST:



City Clerk