

ORDINANCE NO. 024, 2020
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING SECTION 17-102 OF THE CODE OF THE CITY OF FORT COLLINS
REGARDING THE OFFENSE OF THROWING MISSILES

WHEREAS, Section 17-102 of the City Code currently makes it a misdemeanor offense to throw any stone, snowball, or missile at a vehicle, building, private or public property or at any person and defines a missile as any object or substance; and

WHEREAS, the current wording of the offense is overly broad, leading it to prohibit actions that do not merit criminal treatment, such as the throwing of snowballs or sports balls; and

WHEREAS, throwing missiles at vehicles causes a specific safety concern, while throwing missiles at persons or buildings is subject to prosecution under assault or criminal mischief ordinances, making it redundant to include in the separate offense of throwing missiles; and

WHEREAS, City staff is therefore recommending that throwing missiles be amended to narrow the scope of the offense to behavior that causes great risk and is not encompassed by another offense; and

WHEREAS, the City Council has determined that the proposed amendment is in the best interests of the City and is necessary for the health, safety, and welfare of the City's citizens.

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

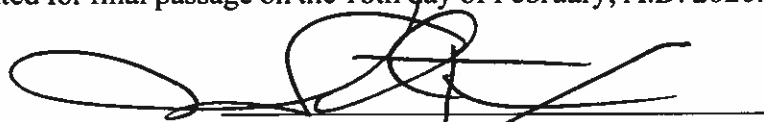
Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That Section 17-102 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 17-102. Throwing of missiles.

(a) No person shall throw any stones, snowballs or missiles upon or at any vehicle.

Introduced, considered favorably on first reading, and ordered published this 4th day of February, A.D. 2020, and to be presented for final passage on the 18th day of February, A.D. 2020.



Mayor

ATTEST:



City Clerk



Passed and adopted on final reading on the 18th day of February, A.D. 2020.



Mayor

ATTEST:



City Clerk

