

ORDINANCE NO. 108, 2020  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AMENDING CHAPTER 26 OF THE CODE OF THE CITY OF FORT COLLINS  
TO CLARIFY UTILITY ACCOUNTS, BILLING AND COLLECTIONS

WHEREAS, the City Council is empowered and directed by Article XII, Section 6, of the City Charter to fix, establish, maintain and provide for the collection of such rates, fees or charges for utility services furnished by the City as will produce revenues sufficient to pay the costs, expenses and other obligations of the electric utility, as set forth therein; and

WHEREAS, Chapter 26 of the City Code regulates and governs the provision of utility services; and

WHEREAS, Chapter 26, Article XII, of the City Code sets forth the procedures and conditions for billing and collection of fees and charges for utility services, including resolution of delinquent balances and service disconnection, and terms for assessing and collecting fees and charges due for delivery of specified utility services; and

WHEREAS, such provisions require updating and modification from time to time, for purposes of clarification, correction of errors and to ensure the Code remains a dynamic document capable of responding to issues identified by staff, customers, and public assistance agencies, and changes in technology for delivering utility services; and

WHEREAS, Fort Collins Utilities staff has identified provisions of Chapter 26 of the City Code where clarification of procedures and conditions for billing and collection are required to better inform customers and align with current utility practices coinciding with delivery of utility services to qualified customers on whose behalf the City receives Colorado Low-Income Energy Assistance Program (LEAP) and other restricted utility program assistance funds; and

WHEREAS, on August 13, 2020, the Energy Board reviewed and provided feedback to staff regarding the proposed City Code revisions clarifying billing and collection practices; and

WHEREAS, on August 20, 2020, the Water Board reviewed and provided feedback to staff regarding the proposed City Code revisions clarifying billing and collection practices; and

WHEREAS, the City Council has determined it is desirable to maintain appropriate utility service billing and collection practices, and that clarification of such practices in the City Code, as set forth herein, is in furtherance of the benefits provided by the City to its utility ratepayers.

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 Subsection 26-711(a) of the Code of the City of Fort Collins is hereby amended to read as follows:

**Sec. 26-711. - Definitions; application.**

(a) The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in § 26-1 and this Section:

*Financial Officer* shall mean the head of the Financial Administration Unit or the designated representative of the Financial Officer.

*Program assistance funds* shall mean monies received through local, state, or federal grants, credits, reimbursements, or other programs that provide financial support for qualified public utility customers served by the City.

...

Section 3. That Subsection 26-712(a) of the Code of the City of Fort Collins is hereby amended to read as follows:

**Sec. 26-712. - Utility bill and account charges authorized; procedures.**

(a) The fees and charges established by this Code for services from the electric, stormwater, water and wastewater utilities may be billed together in one (1) utility bill with such fees and charges separately itemized and shall be billed to utility users not less than once each month. Service fees and charges for telecommunication facilities and services may be billed separately or included on a combined utility bill with other utility services, and such amounts shall be itemized separately and be payable in addition to all combined utility fees and charges. The Financial Officer shall collect, receive and disburse all such fees and charges for the separate utility funds in accordance with the Charter and related provisions of this Code. Other than when applying program assistance funds restricted to specific utility products or services delivered to qualified customers, customer utility payments shall be applied uniformly to all combined non-telecommunication utility service fees and charges due.

...

Section 4. That Subsections 26-713 (c) and (e) of the Code of the City of Fort Collins are hereby amended to read as follows:

**Sec. 26-713. - Due date; delinquency.**

...

(c) In case the user of any non-telecommunication services utility fails to pay a utility bill by the due date or fails to pay any other utility fee, charge, deposit or assessment prescribed by this Code, the City may disconnect either or both of the user's water and electric services to the property


and has the right to enter upon private property to accomplish this purpose. Such disconnections shall nevertheless be conditioned upon the terms associated with program assistance funds received by the City on behalf of qualified customers.

...

(e) Unless otherwise required by terms associated with program assistance funds received by the City on behalf of qualified customers, the terminated utility service will be restored after the customer or subscriber has paid in full all delinquent fees and charges, plus collection costs, together with the expenses of discontinuing and restoring service, including costs of after-hours labor and materials and specified fees, as provided in this Article.

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Introduced, considered favorably on first reading, and ordered published this 1st day of September, A.D. 2020, and to be presented for final passage on the 15th day of September, A.D. 2020.

  
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Mayor

ATTEST:

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



Passed and adopted on final reading on the 15th day of September, A.D. 2020.

  
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Mayor

ATTEST:

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

