

RESOLUTION 2020-036  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROVING EMERGENCY RULES AND REGULATIONS ENACTED  
BY THE CITY MANAGER PURSUANT TO THE LOCAL COVID-19  
EMERGENCY BETWEEN MARCH 31 AND APRIL 5, 2020

WHEREAS, the City of Fort Collins is threatened with serious injury and damage, consisting of widespread human and economic impact caused by the Novel Coronavirus 2019 (COVID-19); and

WHEREAS, in early March declarations of emergency regarding COVID-19 were issued by President Trump, Governor Polis and the Larimer County Department of Public Health and Environment; and

WHEREAS, on March 13, 2020, in order to undertake emergency measures to protect the life, health, safety and property of the citizens of the City and persons conducting business therein, and in order to attempt to minimize the loss of human life and the preservation of property, the City Manager, as the Director of the City's Office of Emergency Management, proclaimed a "local emergency" in accordance with Section 2-671(a)(1) of the City Code and activated the Emergency Operations Plan established pursuant to Section 2-673 of the City Code; and

WHEREAS, the City Council extended the local emergency until such time as the City Manager determines in writing that the conditions justifying the local emergency no longer exist, with the adoption of Resolution 2020-030 on March 20, 2020; and

WHEREAS, having proclaimed a local emergency, the City Manager has issued emergency rules and regulations in order to protect the health and safety of City residents and visitors; and

WHEREAS, at its adjourned meeting on March 31, 2020, the City Council adopted Resolution 2020-032, approving the Emergency Rules and Regulations that had as of that date been issued by the City manager, including the following:

- a. Emergency Regulation No. 2020-01, Authorizing Emergency Purchases pursuant to City Code Section 8-161(b)(1), dated March 17, 2020;
- b. Emergency Regulation No. 2020-02, suspending certain legal requirements to allow the operation of a day shelter, homeless shelter, and/or seasonal overflow shelter at the Northside Aztlan Community Center, dated March 19, 2020;
- c. Emergency Regulation No. 2020-03, suspending fares for all Transfort bus routes within the City, including FLEX and MAX routes and Dial-a-Ride trips, dated March 19, 2020;
- d. Emergency Regulation No. 2020-04, suspending the operation of the requirements of City Code Chapter 26 related to disconnecting City non-telecommunication utility services to a premise upon non- or late payment of utility service fees during the pendency of the local emergency or other applicable order, dated March 20, 2020; and

- e. First Amended Emergency Regulation No. 2020-05A, suspending the prohibition on occupying recreational vehicles on private property, with written permission from the property owner, for working, living, or sleeping purposes in order to use that recreational vehicle to promote physical distancing and/or quarantine, dated March 30, 2020; and

WHEREAS, the City Manager has since issued additional Emergency Rules and Regulations (collectively referred to as the “Emergency Rules and Regulations”), as follows:

- a. Emergency Regulation No. 2020-06, authorizing places of worship or assembly to conduct live religious services on their property so long as attendance is viewed remotely from on the property in vehicles provided physical distancing requirements are met and provided the arrangement is permitted by State and County “stay-at-home” orders, dated April 1, 2020;
- b. Emergency Regulation No. 2020-07, limiting enforcement for certain types of parking violations (block face restrictions, overtime, expired tags, and residential parking permit violations) and easing certain requirements related to parking tickets, dated April 1, 2020; and
- c. Emergency Regulation No. 2020-08, authorizing certain temporary sign, banner and pennant encroachments by essential businesses during the local emergency, dated April 4, 2020;

and

WHEREAS, Section 2-671(a)(6)(a) of the City Code provides that the emergency rules and regulations must be confirmed at the earliest practical time by the City Council; and

WHEREAS, the Council has determined that Emergency Regulations No. 2020-01 through No. 2020-08 are reasonably necessary to the protection of life, health, safety and property of the residents of and visitors to Fort Collins.

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

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

Section 2. That the City Council hereby finds that the City Manager’s establishment of the Emergency Rules and Regulations, attached hereto as Exhibit A, Exhibit B and Exhibit C and incorporated herein by this reference, was necessary in the interest of protecting the life, health, safety and property of the citizens of Fort Collins.

Section 3. That the City Council hereby confirms, ratifies and approves Emergency Rules and Regulations No. 2020-06, No. 2020-07 and No. 2020-08, as of the date of their establishment by the City Manager.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 7th day of April, A.D. 2020.

DocuSigned by:  
*Wade Troxell*  
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ATTEST:

DocuSigned by:  
*Sylvia Calderon*  
DA94696740DA4BA...

**EXHIBIT A**

**City Manager's Office**  
300 Laporte Avenue  
PO Box 580  
Fort Collins, CO 80522  
**970.221.6505**  
970.224.6107  
fcgov.com

**EMERGENCY RULES AND REGULATIONS No. 2020-6**

To all persons take notice:

That for the protection of life, health, safety and property as affected by reason of the Novel Coronavirus 2019 (COVID-19), which resulted in my declaration of a "local emergency" under the authority of Chapter 2, Article IX of the Code of the City of Fort Collins, (the "City") and which declaration of local emergency was filed with the City Clerk and with the Colorado Division of Emergency Management on March 13, 2020, and extended by City Council adoption of Resolution 2020-030 on March 20, 2020, I have hereby established, under the authority of Sec. 2-671(a)(6)a, the following rules and regulations:

1. Commencing on April 2, 2020, and until further notice, a place of worship or assembly as defined in the City Land Use Code and currently approved under the Land Use Code and operating in conformance with all Land Use Code, City Code, and other applicable legal requirements may conduct live religious services on its property consisting of worshipers arriving and remaining in their respective enclosed passenger vehicles to view a live religious service conducted inside the place of worship or assembly and displayed on an outdoor video screen, or otherwise projected on an outdoor screen, (hereinafter, "Drive-Up Religious Service"). Therefore, I am ordering:
  - a. A place of worship or assembly may conduct a Drive-Up Religious Service provided the following restrictions are followed:
    - i. Before scheduling and holding a Drive-Up Religious Service, a place of worship or assembly must confer with the State and County health departments regarding any executive and public health "stay-at-home" orders issued or amended from time to time ("Orders") to determine whether such a Service is permitted under applicable Orders. This Emergency Regulation does not authorize any Drive-Up Religious Service that violates such Orders.
    - ii. The live religious service conducted indoors for outdoor display shall be conducted by the smallest number personnel of place of worship or assembly reasonably feasible, but in all cases fewer than 10 people, maintaining at least six (6) feet of distance between each of them at all times. Access to the interior of the place of worship or assembly by worshipers remains prohibited to the extent set forth in any federal, state, or county Order.



- iii. No audio related to the Drive-Up Religious Service may be played over outdoor speakers to be heard by worshipers within their enclosed passenger vehicles. All audio related to the Drive-Up Religious Service must be broadcast so that worshipers may listen to the audio on radios or other electronic devices inside their enclosed passenger vehicles.
  - iv. All enclosed passenger vehicles containing worshipers at the Drive-Up Religious Service must be parked within existing approved parking areas on the property where the place of worship or assembly is located and emergency access areas must be unobstructed.
  - v. All enclosed passenger vehicle doors, windows, convertible tops, and other openings to the outside shall remain fully closed unless at least six (6) feet of distance exists between any open opening and the closest enclosed passenger vehicle or person.
- b. During the time this emergency rule and regulation is in effect, the City shall not enforce any Land Use Code regulation that would prohibit a Drive-Up Religious Service.
- 3. I find that this emergency rule and regulation is reasonable and necessary to promote the health, safety and welfare of the public by promoting the spiritual health and well-being of worshipers.
  - 4. Nothing in this emergency regulation shall prevent the City from utilizing such other legal mechanisms as are available to it, including, without limitation, the Traffic Code, the Fire Code, the Building Code, Chapter 20, Article I of the City Code.

Pursuant to Section 2-671(e) of the City Code, the rules and regulations set forth herein shall be disseminated to local radio and television stations and to a newspaper having a general circulation within the City. A knowing violation of these rules and regulations shall be a misdemeanor punishable under Section 1-15 of the City Code.

DATED this 2nd day of April, A.D. 2020.

DocuSigned by:

*Darin A. Atteberry*

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Darin A. Atteberry, City Manager



**EXHIBIT B**  
**City Manager's Office**  
300 Laporte Avenue  
PO Box 580  
Fort Collins, CO 80522  
**970.221.6505**  
970.224.6107  
fcgov.com

## **EMERGENCY RULES AND REGULATIONS**

**No. 2020-07**

To all persons take notice:

That for the protection of life, health, safety and property as affected by reason of the Novel Coronavirus 2019 (COVID-19), which resulted in my declaration of a “local emergency” under the authority of Chapter 2, Article IX of the Code of the City of Fort Collins, (the “City”) and which declaration of local emergency was filed with the City Clerk and with the Colorado Division of Emergency Management on March 13, 2020, and extended by City Council adoption of Resolution 2020-030 on March 20, 2020, I have hereby established, under the authority of Sec. 2-671(a)(6)a, the following rules and regulations:

1. Commencing on April 1, 2020, and until further notice, City staff **SHALL NOT** issue citations for the following parking infractions:

- Traffic Code Section 1204(6)(a): violations of the “4-Hour Block Face Rule” or otherwise parking in a time limited space past the posted time (e.g., 30-minute, 1-hour, 2-hour, etc.);
- Traffic Code Section 240(2): displaying an expired registration on a license plate;
- Traffic Code Section 1801(4): immobilization of vehicles (aka. “booting”), however, the City may still tow vehicles pursuant to Traffic Code Section (1801(1)(a)(1)-(3); and
- Traffic Code Section 1214.5: parking in a Residential Permit Parking Area without a permit.

2. City staff **SHALL** continue to issue citations for the following parking infractions:

- Traffic Code Section 1204(2)(g): parking where prohibited by a red curb;
- Traffic Code Section 1204(2)(b): parking within 15 feet of a fire hydrant;
- Traffic Code Section 1204(3)(b): parking where prohibited by sign;
- Traffic Code Sections 1208(5) and (9): parking in an ADA spot or blocking access to ADA curb ramp or passenger loading zone;
- Traffic Code Sections 1216 and 1217: parking in loading zones;

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- Traffic Code Section 1204(2)(a) and 1212: blocking a driveway or an alley; and
- Traffic Code Section 1204(3): parking in travel lanes, including bike and transit lanes.

This list is not meant to be exhaustive and Parking Enforcement may continue to issue citations for any other infraction not specifically mentioned in Section 1 above, with an emphasis on citing traffic safety infractions.

3. I am further directing City staff to implement the following Parking Enforcement administrative practices:

- Mail notifications of violations will be discontinued to prevent citations from going through the initial 15-day escalation cycle.
- Escalations of unpaid violations have been turned off for all citations to allow for additional time to contest or pay.
- Existing permit holders will be afforded a one-time waiver if their permit lapses during the local emergency, allowing them to resume their permit when they are able to report to work again. This period will be limited to no more than 2-months after regular operations resume.
- All parking permit waitlist fulfillment will remain on hold until further notice to allow those that have let their permit lapse to resume their permit when they are able to report to work again.
- Businesses that request full refunds for permits will either receive, at their option: 1) an account credit to be used after the local emergency is terminated in order to resume their permit or 2) a refund for all unused months without the possibility to reactivate their permits after the local emergency is terminated unless availability exists, otherwise, the business will be placed on a waitlist.
- Citations will be placed on hold if the customer needs to contest their citation but cannot come into the Parking Services office, allowing them to contest once regular Parking Services business operations resume. Customers that wish to place their citation on hold may contact Parking Services at the email address or phone number below.

Community members with additional questions can contact the City's Parking Services department at [parkingservices@fcgov.com](mailto:parkingservices@fcgov.com) or by calling 970-221-6617 and pressing 0.

4. Nothing in this emergency regulation shall prevent the City from utilizing such other legal mechanisms as are available to it, including, without limitation, the Traffic Code, the Fire Code, the Building Code, Chapter 20, Article I of the City Code and/or the Uniform Code for abatement of dangerous buildings in cases of emergency.

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Pursuant to Section 2-671(e) of the City Code, the rules and regulations set forth herein shall be disseminated to local radio and television stations and to a newspaper having a general circulation within the City. A knowing violation of these rules and regulations shall be a misdemeanor punishable under Section 1-15 of the City Code.

DATED this 1<sup>st</sup> day of April, A.D. 2020.

DocuSigned by:  
  
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Dan A. Atcherry, City Manager



**EXHIBIT C**

**City Manager's Office**  
300 Laporte Avenue  
PO Box 580  
Fort Collins, CO 80522

**970.221.6505**  
970.224.6107  
[fcgov.com](http://fcgov.com)

**EMERGENCY RULES AND REGULATIONS****No. 2020-08**

To all persons take notice:

That for the protection of life, health, safety and property as affected by reason of the Novel Coronavirus 2019 (COVID-19), which resulted in my declaration of a "local emergency" under the authority of Chapter 2, Article IX of the Code of the City of Fort Collins, (the "City") and which declaration of local emergency was filed with the City Clerk and with the Colorado Division of Emergency Management on March 13, 2020 and extended by City Council adoption of Resolution 2020-030 on March 20, 2020. In accordance with the guidance of the Larimer County Sixth Public Health Order Re: Stay-At-Home dated March 25, 2020 defining "essential businesses" (which currently expires on April 17, 2020, although it may be extended or replaced with a subsequent similar Order), this additional Regulation regarding Temporary Sign Encroachment is now appropriate. I have hereby established on April 3, 2020, under the authority of Sec. 2-671(a)(6)(a) the following rules and regulation:

1. Commencing April 3, 2020, and until further notice, City staff shall not enforce the Fort Collins Municipal Code Section 23-46 (Encroachment in the Right of Way) or Section 23-81 (Permit requirement for encroachment into the City's Right of Way) as they relate to temporary signage placed by essential businesses that are otherwise compliant with Chapter 24 of the Fort Collins Municipal Code and Section 3.8.7.3 of the Fort Collins Land Use Code, so long as the City Engineer, or his designee, do not determine the placement of the temporary signage creates a significant safety concern or safety hazard.
2. Additionally, commencing April 3, 2020, and until further notice, City staff shall not enforce City Land Use Code Section 3.8.7.3(D) with regards to citations for Temporary Sign Encroachment in the Right of Way for essential businesses regardless of whether a sign has exceeded the time limit for such sign, provided it is consistent with this Emergency Regulation.
3. Additionally, commencing April 3, 2020, and until further notice, City staff shall not enforce Fort Collins Land Use Code Section 3.8.7.3(E) for essential businesses with respect to Banners and Pennants regardless of whether such Banner or Pennant has exceeded applicable the time limit, provided it is consistent with this Emergency Regulation.
4. For the purpose of this emergency regulation, "essential business" shall be defined in reference to the current Colorado State Department of Public Health implementation Implementing

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the Stay at Home Order (“Order”). This Regulation is always meant to be read in conjunction with the most current version of this Order.

5. No other modifications to the City of Fort Collins Land Use Code or Municipal Code are intended. Citizens shall continue to comply with all design, location, installation, illumination, display, operation, repair, maintenance, material, size, placement, safety and content regulations.

6. This regulation in no way restricts City staff’s ability and authority under LUC 3.8.7.1(2)(B)(1)(a) & (b) to promote public safety and direct action in accordance therewith.

7. I find that this emergency rule and regulation is reasonable and necessary to promote the health, safety and welfare of the public as it will allow essential business, which are permitted to stay open under various state and county orders, to identify themselves to [or communicate with] people who need to locate them during the pendency of the emergency.

8. Nothing in this emergency regulation shall prevent the City from utilizing such other legal mechanisms as are available to it, including, without limitation, the Traffic Code, the Fire Code, the Building Code, Chapter 20, Article I of the City Code and/or the Uniform Code for abatement of dangerous buildings in cases of emergency.

9. Pursuant to Section 2-671(e) of the City Code, the rules and regulations set forth herein shall be disseminated to local radio and television stations and to a newspaper having a general circulation within the City. A knowing violation of these rules and regulations shall be a misdemeanor punishable under Section 1-15 of the City Code.

10. This Emergency Order shall remain in effect until superseded or rescinded, or until the Order expires and extended or superseded by a subsequent Order, or upon the termination of the local emergency, whichever first occurs.

DocuSigned by:

*Darin A. Atteberry*

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Darin A. Atteberry, City Manager

Dated: 4/4/2020