

# AGENDA ITEM SUMMARY

## FORT COLLINS CITY COUNCIL

**ITEM NUMBER:** 7

**DATE:** February 18, 2003

**FROM:** Jeff O'Brien

### **SUBJECT:**

Second Reading of Ordinance No. 016, 2003, Separately Codifying "The Fort Collins Traffic Code"; Repealing All Conflicting Ordinances; and Making Certain Related Amendments to Chapter 28 of the City Code.

### **RECOMMENDATION:**

Staff recommends adoption of the Ordinance on Second Reading.

### **EXECUTIVE SUMMARY:**

Ordinance No. 016, 2003, which was adopted 6-0 (Councilmember Kastein was absent) on First Reading on February 4, 2003, makes certain amendments to Chapter 28 of the City Code.

# AGENDA ITEM SUMMARY

## FORT COLLINS CITY COUNCIL

ITEM NUMBER: 12

DATE: February 4, 2003

FROM: Jeff O'Brien

### SUBJECT:

First Reading of Ordinance No. 016, 2003, Separately Codifying "The-Fort Collins Traffic Code"; Repealing All Conflicting Ordinances; and Making Certain Related Amendments to Chapter 28 of the City Code.

### RECOMMENDATION:

Staff recommends adoption of the Ordinance on First Reading

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### EXECUTIVE SUMMARY:

**Background:** In 1977, the City of Fort Collins adopted the revised edition of the Model Traffic Code for Colorado Municipalities, a generic document designed to provide uniformity throughout the state pertaining to laws governing the movement of vehicles and pedestrians on streets and highways. The 1977 Model Traffic Code also gave municipalities the power to adopt portions of the Model Traffic Code which were applicable to the local traffic situation, provided those laws or ordinances adopted or modified were not in conflict with state law. The 1977 Model Traffic Code mirrored the State of Colorado's C.R.S. Title 42 Statutes for Vehicle and Traffic Enforcement with the exception of areas pertaining to driver's licenses, vehicle registration, and alcohol or drug related driving offenses, as these statutes are enforced and handled at the county and district court level. The State no longer uses this Model Traffic Code edition and no other jurisdiction has retained it except Fort Collins. This document has been used by the City since 1977 with numerous changes and updates as the years passed.

**Problem:** The 1977 Model Traffic Code's generic nature does not meet the specific needs for the City of Fort Collins. It is no longer in print, and has not been available for over 10 years. There is a new edition of the Model Traffic Code scheduled for release in 2003, but it does not fully meet the current needs of City of Fort Collins because of its generic nature.

The 1977 Model Traffic Code has been sporadically updated by the City through a series of amendments contained in the City Code in order to reflect changes made to state laws, as well as amended to reflect the changing needs of the city regarding the regulation of traffic. Those changes that have been made require users to research in two separate books for the most accurate and up-to-date information (the Model Traffic Code itself and the City Code). These books are not readily available to police officers. In 1998, an internal manual was created for use by Fort Collins police officers in an effort to consolidate and update all the changes made to the 1977 Model Traffic Code manual. This enabled the agency to provide a usable, if temporary, enforcement document to its officers.

**Solution:** In 1998, discussions were undertaken about the feasibility of creating a new Traffic Code for the City of Fort Collins, making it a stand alone, separately codified document, and repealing the outdated 1977 Model Traffic Code. A committee consisting of representatives from the City Attorneys Office, City Municipal Court Violations Bureau, City Police Services, City Parking Management, City Traffic Engineering, and the Colorado State University Police Department was initially formed to develop the new manual. After five years and numerous revisions and input from various affected staff, this new traffic code for the City of Fort Collins was created. The document is now entitled "Fort Collins Traffic Code" and has been updated to reflect the most recent changes in the State of Colorado's C.R.S. Title 42 Vehicle and Traffic Enforcement statutes and to reflect the current and future traffic enforcement needs and issues specific to the City of Fort Collins and Colorado State University, such as:

- incorporating state requirements for camera red light and radar enforcement;
- providing for pavement markings in addition to signage in regards to handicapped parking;
- updating the enforcement of restrictions on skateboarding, bikes, etc. where posted on plazas and walkways; and
- clarifying parking and towing ordinances to allow parking services officers, CSOs in addition to FCPS officers to immobilize vehicles.
- incorporating state rules for traffic control in natural areas and parks.

There is one section of the Traffic Code that will be new and unique to Fort Collins which governs the manner in which funeral processions are conducted in the City. This section was drafted to address concerns and questions which have arisen from citizens. This section was added after input was solicited from funeral directors in the City. Another section, one relating to license plates, is a new section from state statutes and allows FCPS to write these violations into municipal, rather than state, court.

The final version of the Fort Collins Traffic Code has been reviewed and approved by staff from the various representative agencies within the City of Fort Collins and Colorado State University. In addition, it has been forwarded to and been granted preliminary by the State of Colorado Department of Transportation pending final action by this Council.

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