

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 12

DATE: April 21, 2009

STAFF: Wanda Krajicek

SUBJECT

First Reading of Ordinance No. 036, 2009, Amending Various Provisions of the City Code and the Fort Collins Traffic Code Regarding the Sale and Maintenance of Said Codes.

RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

FINANCIAL IMPACT

This Ordinance will reduce the costs associated with keeping multiple copies of the City Code, Traffic Code, and other codes adopted by reference, on file for public inspection.

EXECUTIVE SUMMARY

This Ordinance amends the City Code and Traffic Code to reflect that the City's official codifier maintains copies for sale to the public, and to reduce to one the number of public inspection copies the City Clerk is required to maintain.

BACKGROUND

The City Code currently requires the City Clerk to maintain a reasonable supply of the City Code to be available for purchase by the public, and also requires the City Clerk to keep on file, and available for public inspection, at least three copies of each code adopted by reference. The Traffic Code contains similar provisions. These provisions were enacted before the City began contracting for the services of an official codifier to print and supplement the City Code and Traffic Code. Furthermore, the entire City Code, Traffic Code and Land Use Code are now available to the public on the City's official web site, at no cost. In addition, the codifier is required to make available to the public printed copies of, and subsequent amendments to, its Codes at a cost approved by the City Clerk.

The public demand for inspection of codes is minimal, and it is no longer cost effective to maintain multiple copies of such codes. In fact, some of the codes adopted by reference that the City Clerk maintains have never been removed from their original packaging.

This Ordinance will amend various provisions of City Code and Traffic Code to reflect the services now provided by the codifier and to reduce the number of public inspection copies required from three to one.

ORDINANCE NO. 036, 2009
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING VARIOUS PROVISIONS OF THE CODE OF THE
CITY OF FORT COLLINS AND THE FORT COLLINS TRAFFIC
CODE REGARDING THE SALE AND MAINTENANCE OF SAID CODES

WHEREAS, Section 1-13 of the City Code requires the City Clerk to maintain a reasonable supply of copies of the City Code to be available for purchase by the public; and

WHEREAS, Section 1-14 of the City Code requires the City Clerk to keep on file, and available for public inspection, at least three copies of each code adopted by reference; and

WHEREAS, similar requirements exist in other sections of the City Code; and

WHEREAS, these provisions were enacted before the City began contracting for the services of an official codifier to print and supplement the Code, and before the inception of the internet; and

WHEREAS, the entire City Code is now available to the public on the City's official web site, at no cost; and

WHEREAS, the City relies upon its official codifier to make available to the public printed copies of, and subsequent amendments to, the City Code at a cost approved by the City Clerk; and

WHEREAS, the Fort Collins Traffic Code is made available to the public in the same manner as the City Code; and

WHEREAS, the public demand for inspection of codes adopted by reference is minimal, and it is not cost effective to maintain multiple copies of such codes; and

WHEREAS, the City Clerk has recommended that Council amend the City Code to minimize the number of hard copies of various codes that need to be maintained by the City; and

WHEREAS, the City Council believes that such amendments would be in the best interests of the City.

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

Section 1. That Sections 1-13 and 1-14 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 1-13. Sale of Code copies.

~~The City Clerk shall maintain a reasonable supply of copies of this Code to be codified of this Code~~ (the person, agency or organization authorized to print the Code

and prepare supplements) shall make copies of the Code available for purchase by the public upon payment of a fee to be set by the City Clerk.

Sec. 1-14. Codes adopted by reference.

At least ~~three (3) copies~~ **one (1) copy** of each code adopted by reference as they were adopted shall be kept on file in the office of the City Clerk available for public inspection. One (1) copy of each such code ~~may be~~ **shall also be** kept in the office of the chief enforcement officer thereof ~~rather than in the office of the City Clerk.~~

Section 2. That Section 5-2 of the Code of the City of Fort Collins shall be amended to read as follows:

Sec. 5-2. Copies of codes on file.

At least ~~three (3) copies~~ **one (1) copy** of all codes adopted by reference **in this Chapter** shall be on file in the office of the City Clerk at least fifteen (15) days preceding the date set for hearing, and may be inspected by any interested persons during normal business hours.

Section 3. That Section 15-71 of the Code of the City of Fort Collins shall be amended to read as follows:

Sec. 15-71. Certain standards adopted.

The following standards promulgated by Underwriters' Laboratories, Inc., as set forth in this Article, are hereby adopted by reference. Such standards do not contain any separate penalty provision. All of such standards are promulgated by Underswriters' Laboratories, Inc., 207 East Ohio Street, Illinois, 60611.

- (1) The edition, impression date and other pertinent information relating to the standard adopted is as follows:

.....

- (2) At least ~~three (3) copies~~ **one (1) copy** of each standard herein adopted shall be kept on file in the office of the City Clerk, available for public inspection. One (1) copy of each such standard shall be kept in the office of the Director of Building and Zoning. One (1) copy shall be kept in the office of the Fire Chief. One (1) copy shall be kept in the office of the Police Chief.

Section 4. That Section 28-16(c) of the Code of the City of Fort Collins shall be amended to read as follows:

Sec. 28-16. Adoption of the Fort Collins Traffic Code.

.....

(c) ~~Three (3) copies~~ **One (1) copy** of the Fort Collins Traffic Code adopted herein ~~are filed~~ **shall be kept on file** in the office of the City Clerk and may be inspected during regular business hours. The Fort Collins Traffic Code, together with any subsequent amendments thereto, is adopted as if set out at length and the provisions thereof shall be controlling within the City.

Section 5. That Section 106 of the Fort Collins Traffic Code shall be amended to read as follows:

106. Certification by City Clerk; copies to be retained.

The City Clerk shall certify to the passage of this Traffic Code and make ~~not less than three (3) copies~~ **at least one (1) copy** of the Fort Collins Traffic Code available for inspection by the public during regular business hours.

Introduced, considered favorably on first reading, and ordered published this 21st day of April, A.D. 2009, and to be presented for final passage on the 5th day of May, A.D. 2009.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 5th day of May, A.D. 2009.

Mayor

ATTEST:

City Clerk