ORDINANCE NO. 160, 2024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING FORT COLLINS TRAFFIC CODE SECTION 1214
REGARDING PARKING OF CERTAIN VEHICLES

A. In April of 2023, the Homeless Outreach and Proactive Engagement ("HOPE") team was established within Fort Collins Police Services ("FCPS"). Many of the HOPE team's calls-for-service involve illegal camping or the illegal parking or storage of vehicles on City streets.

B. Within the last 365 days, there have been approximately 700 calls-for-service involving campers or recreational vehicles parked within City limits. These vehicles include but are not limited to, recreational vehicles ("RVs"), camper trailers, motor homes, or improvised versions of shelters built onto a vehicle.

C. Currently, the Fort Collins Traffic Code ("FCTC"), Section 1214-Parking certain vehicles in a residential zone prohibited, prohibits the parking of such vehicles in specific designated areas, but only in residential zones. The number of calls-for-service regarding this issue is a City-wide problem and not just relegated to certain designated residential zones.

D. These calls-for-service occur at public parks, parking lots open to the public, and City streets which are in areas zoned for non-residential use but have residences and businesses nearby. Some of the common complaint locations include the Colorado Welcome Center (3745 E. Prospect Rd.), Windsor Park and Ride (SW. Frontage Rd.), Harmony Park and Ride (4500 E. Harmony Rd.), the area near the Poudre River Whitewater Park (201 E. Vine St.), the area surrounding Conifer St., Blue Spruce Rd., and Red Cedar Cir., as well as new development sites around town.

E. Police Officers, Community Service Officers, and Fort Collins Parking Services employees are finding that when a vehicle is parked in a non-residential zone and does not meet the definition of an abandoned vehicle as defined in FCTC Section 1801, their ability to take enforcement action is limited.

F. In addition to police calls-for-service and citizen concerns and complaints regarding the vehicles being illegally stored or in which individuals are illegally camping, these vehicles can also contribute to the threat of potential contamination to the storm water sewer system.

G. The City has a City-wide Municipal Separate Storm Sewer System (MS4) discharge permit issued by the Colorado Department of Public Health and Environment. The intent of the permit is to protect state waters by keeping pollutants out of the MS4, through which stormwater flows to creeks, lakes, and the Poudre River without treatment. One of the permit requirements is a program to prohibit the discharge of pollutants to the MS4, to ensure sources of pollutants are removed/cleaned up, and an enforcement mechanism and escalation process for repeated, intentional, and/or egregious violations.

H. The City, outside of campgrounds and proper RV or camper storage facilities, does not have a dumping station where vehicles with greywater and/or blackwater tanks can properly dispose of the waste. Officers have observed during some calls-for-service, vehicles with these tanks leaking onto the roadway. In other calls-for-service, Officers have learned of individuals in vehicles without blackwater or greywater tanks resorting to disposing of the bodily waste onto the street or ground.

I. The City's Stormwater Environmental Regulatory team has had to respond to various pollutants and MS4 issues related to vehicles illegally camping or being illegally stored, to include E. coli and other pathogens found in our rivers and creeks, nitrogen and phosphorus found in wastewater, automotive spills, trash, debris, and unknown waste left in streets that may result in harmful runoff and find its way to the MS4.

J. Because vehicles parked throughout the City do not have appropriate amenities that a designated campground would have, such as electrical hookups, running water, or waste dumping stations, there is concern of the threat of fire and injury from the use of propane tanks. At least one of the calls-for-service involved the explosion of such a propane tank used by individuals illegally storing their vehicle. The risks extend to nearby businesses or residences when such mishaps occur.

K. In addition to the public health and safety issues related to individuals who illegally camp in or store their vehicles, there is also an impact to neighborhood aesthetics and safe public conveyance when vehicles are stored on City streets. One such impact is to multimodal users (bicyclists, pedestrians, etc.). Since there are only a handful of designated residential zones which specify a reasonable time to load/unload in the existing restrictions, vehicles which are being stored outside of those zones can impede bicycle lanes or sidewalks, potentially causing the multimodal user to enter the street and risk their safety.

L. The parking of such vehicles on City streets, roadways, parking lots open to the public, rights-of-way, or public property affects more than the designated residential zones. It affects the entire City. The City must utilize every tool available to improve and protect the health, safety, and wellbeing of the community.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that Section 1214 of the Fort Collins Traffic Code is hereby amended to read as follows:

1214. Parking certain vehicles prohibited.

(1) It shall be unlawful for any person to park any of the following vehicles on public property, including any portion of a street, alley, highway, or other right-of-way within the City:

(a) Any motor vehicle exceeding six thousand (6,000) pounds empty weight,

(b) Any motor vehicle exceeding twenty (20) feet in length,

(c) Any motor coach, trailer coach, recreational vehicle, trailer, semi-trailer, or truck tractor, or any part of such vehicle,

(d) Any combination of a trailer and motor vehicle exceeding twenty (20) feet in length or eight feet in width.

(e) For the purposes of this section, the measured length of any vehicle shall exclude towing gear, bumpers, and attached cargo racks or similar items.

(2) Section (1) shall not apply to the following:

(a) Commercial vehicles, vessels or trailers, when such vehicles, vessels or trailers are being expeditiously loaded or unloaded, or when equipment transported by such vehicles, vessels or trailers is presently being used to perform the special operations for which it was designed, including, but not limited to, the construction, operation, removal, or repair of utility or public utility property or facilities or public streets and rights-of-way; and

(b) Motor coaches, trailer coaches, recreational vehicles or trailers when parked directly in front of the frontage of the single-family or multi-family dwelling of the vehicle's registered owner, not to exceed a period of 48 hours when being loaded or unloaded.

(c) Once a vehicle, vessel or trailer has been loaded or unloaded, any such vehicles, vessels or trailers, and associated equipment used in the loading or unloading, must comply with Section (1).

(3) No person shall park or store any vehicle exceeding twenty (20) feet in length, or any motor or trailer coach, mobile home, semi-trailer, truck tractor, recreational vehicle or trailer anywhere in the City in such a manner as to obstruct or interfere with pedestrian or vehicle traffic or the view of any intersection or official traffic control device.

(4) It shall not be a defense to this section that the vehicle, trailer, or vessel has been moved to a different location within the public right-of-way. To be in compliance with this section, the vehicle, trailer, or vessel must be removed from the public right-of-way.

Introduced, considered favorably on first reading on November 4, 2024, and approved on second reading for final passage on November 19, 2024.

Mayor

ATTEST:

City Clerk, Sr. Deputy

Effective Date: November 29, 2024
Approving Attorney: Ethan Doak

CITY OF FORT COLLINS SEAL COLORADO