

ORDINANCE NO. 176, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
CALLING A SPECIAL MUNICIPAL ELECTION FOR THE PURPOSE OF
SUBMITTING TO THE REGISTERED ELECTORS A CITIZEN REFERENDUM
OF ORDINANCE NO. 136, 2023, REPEALING AND REENACTING
SECTION 29-1 OF THE CODE OF THE CITY OF FORT COLLINS TO ADOPT
THE REVISED LAND USE CODE AND SEPARATELY CODIFYING THE 1997
LAND USE CODE AS THE “PRE-2024 TRANSITIONAL LAND USE REGULATIONS”

WHEREAS, on October 17, 2023, the City Council adopted on second reading Ordinance No. 136, 2023, Repealing and Reenacting Section 29-1 of the Code of the City of Fort Collins to Adopt the Revised Land Use Code and Separately Codifying the 1997 Land Use Code as the “Pre-2024 Transitional Land Use Regulations” (the “Ordinance”); and

WHEREAS, on October 27, 2023, a registered elector commenced referendum proceedings by filing with the City Clerk a notice of protest against the Ordinance; and

WHEREAS, on November 8, 2023, the City Clerk approved the form of the referendum petition relating to the Ordinance (the “Referendum Petition”); and

WHEREAS, on November 28, 2023, the petition representatives filed the Referendum Petition with the City Clerk; and

WHEREAS, on December 14, 2023, the City Clerk issued and provided to the City Council her certification that the Referendum Petition contained the requisite number of signatures (at least 4,228) to require further action by the City Council; and

WHEREAS, under Article X, Section 2(e) of the City Charter, the presentation to the City Council of a petition certified by the City Clerk as sufficient for referendum automatically suspends the operation of the Ordinance pending repeal by the Council or final determination by the electors; and

WHEREAS, under Article X, Section 2(e) of the City Charter, if the Ordinance is not repealed, the Council must refer the same to a vote of the registered electors at the next regular or special city election, or, in the alternative, call a special election for that purpose; and

WHEREAS, the Council has, this same date, determined that the Ordinance should not be repealed by the Council but should instead be referred to the registered electors; and

WHEREAS, the Council has further determined that it would be in the best interest of the City to call a special municipal election on the date specified below in order to submit the Ordinance to a vote of the registered electors of the City at such special election.

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 a Special Municipal Election in the City is hereby called for Tuesday, _____.

Section 3. That the use of an electronic system to record the votes at said election is hereby authorized.

Section 4. That in the event a special municipal election is called for a date prior to the date specified herein, the Ordinance shall instead be submitted to the registered electors of the City at such earlier special election.

Introduced, considered favorably on first reading, and ordered published this 19th day of December, 2023, and to be presented for final passage on the 16th day of January, 2024.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 16th day of January, 2024.

Mayor

ATTEST:

City Clerk