

ORDINANCE NO. 166, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTERS 18 AND 26 OF THE CODE OF THE
CITY OF FORT COLLINS REGARDING MOBILE HOME PARK
MANAGEMENT AND LIVABILITY

WHEREAS, there are ten mobile home parks containing approximately 1,400 housing units within the City; and

WHEREAS, mobile home parks are one of the most affordable housing options in the City and are an important source of housing; and

WHEREAS, Chapter 18 of the City Code sets forth standards for the continuing maintenance of mobile home parks in a healthy and safe manner; and

WHEREAS, to enhance the safety and livability of mobile home parks, Chapter 18 of the City Code is amended by the Ordinance to expand the authorization of City staff to conduct inspections, protect use of clotheslines and window mounted cooling devices, and increase transparency for water billing and rebilling; and

WHEREAS, the amendment to Chapter 26 of the City Code adds a reference to the changes to Chapter 18 regarding increased transparency for water billing and rebilling; and

WHEREAS, the amendments to Chapters 18 and 26 of the City Code are in furtherance of *City Plan* and the *Housing Strategic Plan* and are 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 the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That Section 18-2 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 18-2. Definitions.

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section:

Building Official shall mean the Building Official, appointed pursuant to Chapter 5 of this Code or their duly authorized representative.

...

Specially commissioned officer shall mean a specially commissioned officer of the City appointed by the Chief of Police pursuant to Section 2-503(b)(2) of this Code who is authorized by law to enforce provisions of this Code with regards to animal control, weed control, rubbish and debris, building safety, unsanitary conditions, inoperable vehicles, stormwater and wastewater runoff and any other condition that negatively impact the health, safety and welfare of mobile home park residents.

...

Water utility, under this chapter only, shall mean the City of Fort Collins water utility.

Section 3. That Section 18-4 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 18-4. Inspections.

...

(c) *Compliance Inspections.* To the maximum extent permissible under law, the Building Official and any specially commissioned officers are hereby authorized, empowered and directed to make such other inspections as are necessary, from time to time, to determine satisfactory compliance with this Chapter and the regulations issued hereunder.

(d) *Right of Entry.* Whenever necessary to make an inspection to enforce any of the provisions of this Code, or whenever the Building Official or specially commissioned officers have reasonable cause to believe that there exists in any mobile home, mobile home lot or mobile home park any condition or violation which makes such mobile home, lot or park unsafe, dangerous or hazardous, the Building Official or specially commissioned officers may, at their discretion and to the maximum extent permissible under law, enter such mobile home, lot or park at all reasonable times to perform any inspection or other duty imposed upon the Building Official or specially commissioned officers by this Code. If such mobile home or mobile home lot is occupied, the Building Official or specially commissioned officers shall first present proper credentials and request entry. If such mobile home or mobile home lot is unoccupied, the Building Official or specially commissioned officers shall first make a reasonable effort to locate the owner or other persons having charge or control of the mobile home or premises and request entry. If such entry is refused, the Building Official or specially commissioned officers shall have recourse to every remedy provided by law to secure entry.

...

Section 4. That Section 18-6 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 18-6. Mobile home park management

...

(g) *Clothes Lines.* No person shall create, cause to be created, enforce or seek to enforce any provision contained in any restrictive covenant which has the effect of prohibiting the installation or use of clothes lines in mobile home parks.

(h) *Cooling Devices.* No person shall create, cause to be created, enforce or seek to enforce any provision contained in any restrictive covenant which has the effect of prohibiting the installation or use of window-unit air conditioners or evaporative coolers in mobile home parks.

Section 5. That Section 18-7 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 18-7. Park utilities and fire protection.

...

(c) Transparency in water use, billing, and leak mitigation efforts. Based on utility rebilling information obtained from the Fort Collins Utilities' water utility, a specially commissioned officer designated by the Community Development and Neighborhood Services Director may notify a mobile home park of any billing discrepancies and may provide thirty (30) days for the mobile home park to correct any overcharge or billing discrepancy. Any overcharge must be credited to the resident in the next billing cycle.

As a condition of water utility service from Fort Collins Utilities, every mobile home park shall provide the designated specially commissioned officer with or authorize such Officer to obtain any notice, correspondence or invoice from the water utility that documents the total volume of water consumed by the mobile home park during the previous billing period, the cost billed by the water utility to the mobile home park during the previous billing period and any notice of potential leak in the water supply within the mobile home park.

(1) Mobile home parks shall disclose such notices, correspondence, or invoices from the water utility to the designated specially commissioned officer within fourteen (14) days of the date of the notices, correspondence, or invoices, or seven (7) days after receipt, whichever is earlier. When the mobile home park customer does not directly provide such information within this timeline, the water utility shall be authorized to share such information with the designated specially commissioned officer.

(2) Mobile home parks and the water utility may redact sensitive personal identifying information and financial institution account information from such notices, correspondence, or invoices prior to disclosure to the designated specially commissioned officer.

(3) As a condition of mobile home park service, mobile home parks that are water customers of Fort Collins Utilities are required to participate in any available continuous consumption water usage/leak notification system through Fort Collins Utilities.

(4) Fort Collins Utilities may provide the designated specially commissioned officer all notices, correspondence or invoices provided to a mobile home park upon request, subject to redaction under above Subsection (c)(2).

(5) The designated specially commissioned officer may notify the mobile home park of any billing discrepancies and may provide thirty (30) days for the mobile home park to correct any overcharge or billing discrepancy. Any overcharge must be credited to the resident in the next billing cycle.

Section 6. That Section 26-97 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 26-97. Water service lines; general regulations.

...

(d) *Mobile Home Park Service.* Specific rules regarding mobile home park rebilling for water services are set forth in Section 18-7(c).

Introduced, considered favorably on first reading and ordered published this 5th day of December, 2023, and to be presented for final passage on the 19th day of December, 2023.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 19th day of December, 2023.

Mayor

ATTEST:

City Clerk