

# PROVISIONS OF FORT COLLINS HOME RULE CHARTER & MUNICIPAL CODE RELATED TO REDISTRICTING AND PRECINCTING

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## **Fort Collins Charter, Article II. City Council. Section 1. Membership; terms.**

- (a) *Composition of Council.* The Council shall consist of seven (7) members, including a Mayor and Mayor Pro Tem, elected as provided in this Article.
- (b) *Method of election.* The Mayor shall be nominated and elected from the city at large. The remaining six (6) members shall be nominated and elected by Districts. The election of District Councilmembers shall alternate between the election of representatives for Council Districts 1, 3 and 5 and the election of representatives for Council Districts 2, 4 and 6.
- (c) *Council district boundaries.* The city shall be divided into six (6) contiguous, reasonably compact districts, each of which shall consist of contiguous, undivided general election precincts and, to the extent reasonably possible, an equal number of inhabitants. The districts shall be numbered consecutively in a clockwise fashion beginning with the northeast district, which shall be District 1. The Council shall establish by ordinance the process for adjusting district boundaries and giving notice of any proposed boundary changes, and the manner of protesting such proposed changes.
- (d) *Terms.* Except as otherwise provided in Section 18 of this Article and Section 3(d) of Article IX, the term of office of the Mayor shall be two (2) years, and the term of office of all other members of the Council shall be four (4) years each; provided, however, that all such officers shall serve until their successors have been elected and have taken office. The terms of the Mayor and other members of the Council shall begin when they take the oath of office, which shall occur as the first order of business at the first regular or special Council meeting following the final certification of election results and after expiration of the recount period, or their appointment.

(Ord. No. 23, 1981, 2-17-81, approved, election 4-7-81; Ord. No. 94, 1972, 1-4-73, approved, election 2-20-73; Ord. No. 197, 1986, § 1, Parts A, B, 12-16-86, approved, election 3-3-87; Ord. No. 154, 1988, 12-20-88, approved, election 3-7-89; Ord. No. 100, 1990, 9-4-90, approved, election 11-6-90; Ord. No. 15, 1997, § 1, 2-4-97, approved, election 4-8-97; Ord. No. 011, 2011, § 1, 2-15-11, approved, election 4-5-11; Ord. No. 001, 2017, § 2, 1-17-17, approved, election 4-4-17)

## ***Fort Collins Municipal Code Chapter 7 Elections Division 2 Election Precincts and Polling Places***

### **Sec. 7-66. Established.**

- (a) The City Council shall by ordinance divide the City into as many election precincts for municipal elections as it may deem expedient for the convenience of registered electors in the City, and shall designate by resolution the polling place within each precinct. Insofar as practicable, boundaries of election precincts in the City shall correspond with the election precincts established by the County. Each precinct shall be given a separate number designation as determined by the City Council. All precincts and polling places established pursuant hereto shall remain so designated until changed by the City Council. The City Council shall have the power to change or alter election precincts at any time.
- (b) If the boundaries of the City are enlarged by annexation, the territory annexed shall be included in the precinct which it adjoins with all precinct boundaries extending in a straight line from the former municipal boundary limit to the enlarged boundary limit.

(Code 1972, §§ 9-1, 9-12)

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**Sec. 7-67. Changes due to new precinct or boundary changes.**

- (a) Changes in the boundaries of election precincts and the creation of new election precincts shall be completed not less than ninety (90) days prior to any municipal election, except in cases of precinct changes resulting from annexations.
- (b) All changes in precinct boundaries and in municipal boundaries shall be reported by the City Clerk to the County Clerk and Recorder, and a corrected map shall be transmitted to the County Clerk and Recorder as soon as possible after such changes have been effected.

**Sec. 7-68. Designation of precincts and polling places.**

- (a) Polling places for the several election precincts in the City shall be designated by resolution of the City Council.
- (b) In the event that circumstances require any change to any polling place after designation by the City Council, the City Clerk is authorized to provide for a substitute polling place and is directed to give proper notice of any changes in the polling places.

(Code 1972, § 9-7)

**Sec. 7-69. Polling place changes by petition.**

The City Council shall change any polling place upon petition of a majority of the registered electors residing within the precinct.

**Sec. 7-70. Judges may change polling places.**

- (a) When it becomes impossible or inconvenient to hold an election at the place designated therefor, the judges of election, after notifying the City Clerk and after having assembled at or as near as practicable to such place and before receiving any vote, may move to the nearest convenient place for holding the election and at such newly designated place forthwith proceed with the election.
- (b) Upon moving to a new polling place, the judges shall display a proclamation of the change and shall station a police officer or some other proper person at the original polling place to notify all registered electors of the new location for holding the election.

**Sec. 7-71. Precinct map/amendment.**

- (a) The boundaries of the election precincts as herein created in the City are hereby fixed and established as shown on the map entitled "District-Precinct Map," which map is on file in the office of the City Clerk.
- (b) Upon notice by Larimer County that its precinct boundaries have been amended, the City Clerk shall review precinct boundaries and recommend to City Council any precinct boundary changes to ensure they match Larimer County's precincts.

(Code 1972, § 9-8; Ord. No. 005, 2017 , § 3, 1-17-17)

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**Sec. 7-72. Rental of polling places.**

The City Clerk is hereby authorized to pay as rent for the polling place in each election precinct an amount established by the City Council.

(Code 1972, § 9-6)

**Secs. 7-73—7-85. Reserved.*****Division 3 Election Districts<sup>1</sup>*****Sec. 7-86. Establishment.**

Pursuant to the Charter, the City is hereby divided into six (6) Districts. From each District one (1) City Councilmember will be elected. Such Districts are designated as District No. 1, District No. 2, District No. 3, District No. 4, District No. 5 and District No. 6, and are delineated on the District-Precinct Map which is adopted by ordinance and made a part hereof by reference and is on file in the City Clerk's office.

(Code 1972, § 9-9; Ord. No. 130, 1990, 12-4-90)

**Sec. 7-87. Redistricting; notice.**

- (a) The City Council shall, by ordinance, amend the boundaries of the foregoing districts as necessary to comply with the provisions of Article II, Section 1(c) of the Charter. The City Clerk shall cause to be published twice, in a local newspaper of general circulation in the City, notice of the date, time and place of the City Council's consideration of any such redistricting ordinance. The first such notice shall be published no less than fourteen (14) days prior to the date of first hearing of the redistricting ordinance, and the second notice shall be published no less than ten (10) days prior to the date of the first reading of the same.
- (b) Not more than eighteen (18) months after the official decennial publication of the United States Census concerning the population of the City of Fort Collins, the City Clerk shall recommend to the City Council any district boundary changes necessary to ensure that, to the extent reasonably possible, there is no more than a ten-percent deviation between the most populous and the least populous district.
- (c) Not less than once every six (6) years after making the determination required under Subsection (b) above, the City Clerk shall again review the district boundaries to determine whether the maximum deviation between the most populous and the least populous district meets the standard described in Subsection (b) above. If the standard in Subsection (b) above is not met, the City Clerk shall recommend to the City Council any district boundary changes necessary to ensure that the districts conform to such standard.
- (d) The need to amend precinct boundaries pursuant to § 7-71(b) shall automatically cause the City Clerk to review current population deviations, regardless of how long it has been since the last review. If the deviation is found to exceed ten (10) percent, the City Clerk shall recommend that the City Council make boundary adjustments, and present the Council with possible redistricting options that to the maximum extent possible equalize the population in each district, subject to the requirements for contiguity and

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<sup>1</sup>Cross reference(s)—City Council, § 2-16 et seq.

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compactness set forth in Article II, Section 1(c) of the Charter, with a maximum permissible deviation of ten (10) percent between the most populous and least populous district.

- (e) Any changes to district boundaries shall be established by ordinance no less than one hundred eighty (180) days before a regular municipal election.

(Ord. No. 26, 1998, 3-17-98; Ord. No. 063, 2011 , 6-7-11; Ord. No. 023, 2012 , § 1, 4-3-12; Ord. No. 105, 2012 , § 1, 10-16-12; Ord. No. 005, 2017 , § 4, 1-17-17)

### **Sec. 7-88. Protest procedure.**

Any registered elector desiring to protest the manner of redistricting proposed in any such redistricting ordinance shall file a written protest with the City Clerk no later than noon on the Monday immediately preceding the date upon which the proposed redistricting ordinance is to be heard by the City Council on first reading. Such notice of protest shall be on a form available from the City Clerk, shall be signed by the protestor(s), and shall set forth (1) the name, address, and phone number of the protestor(s); (2) the title of the redistricting ordinance being protested; (3) with particularity, the grounds of the protest; and (4) any other information required by the City Clerk. Such protest shall be heard, considered and resolved by the City Council no later than the date of second reading of the proposed redistricting ordinance.

(Ord. No. 26, 1998, 3-17-98; Ord. No. 224, 1998, 12-15-98; Ord. No. 021, 2016, § 8, 3-1-16 )

### **Secs. 7-89—7-100. Reserved.**