

# AGENDA ITEM SUMMARY

City Council



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## STAFF

Shawn McGaffin, Fire Marshal/Division Chief

Kevin Sullivan, Assistant Fire Marshal

Katie Quintana, Assistant Fire Marshal

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## SUBJECT

**First Reading of Ordinance No. 050, 2025, Amending Section 9-4 of the Code of the City of Fort Collins for the Purpose of Clarifying Enforcement of Open Fire and Burning Restrictions.**

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## EXECUTIVE SUMMARY

The purpose of this item is to amend the enforcement and penalty provision under City Code Section 9-4 to clarify that it applies to all violations under Chapter 9, including violations of the Open Fire and Burning Restrictions.

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## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

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## BACKGROUND / DISCUSSION

Article I of Chapter 9 of the City Code (Article I) contains the City's adopted version of the International Fire Code, with local amendments (IFC), which is being repealed and reenacted separately with Ordinance No. XXX, 2025. In addition to the IFC, Article I also contains Section 9-4, which sets forth the penalty applicable to violations of Article I.

Article II of Chapter 9 of the City Code describes limitations on open fires and open burning within the City (Open Burning Code). Unlike Article I, the Open Burning Code does not contain its own separate penalty provision.

Staff have been asked to clarify that the penalty under Section 9-4 also applies to the enforcement to violations of the Open Burning Code.

The City Attorney's Office reviewed Chapter 9 in collaboration with staff from Poudre Fire Authority (PFA) and recommend the penalty set forth under Section 9-4 be clarified to apply to all violations under Chapter 9, including violations of the Open Burning Code.

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## CITY FINANCIAL IMPACTS

None.

**BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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None.

**PUBLIC OUTREACH**

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None.

**ATTACHMENTS**

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1. Ordinance for Consideration