

ORDINANCE NO. 117, 2026
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING SECTION 12-32 OF THE CODE OF THE CITY OF
FORT COLLINS TO UPDATE THE RESIDENTIAL WASTE
COLLECTION PROGRAM

A. Colorado Revised Statutes (“C.R.S.”) Section 30-15-401(7.5) authorizes the City to establish a residential waste collection program (the “Program”), through which the City can require municipal residents in single-unit residences and multi-unit residences with seven or fewer dwelling units to use or pay user charges for residential waste services.

B. At its July 19, 2022, meeting, City Council approved Resolution 2022-079, which directed City staff to design and issue a request for proposals for residential waste collection services, including trash and recycling collection services for purposes of establishing a waste collection program as authorized by C.R.S. Section 30-15-401(7.5).

C. At its April 18, 2023, meeting, City Council approved Ordinance No. 054, 2023, which authorized the City to establish the Program. At its April 18, 2023, meeting, City Council also approved Ordinance No. 055, 2023, which authorized the City to enter into a contract (the “Contract”) with a waste hauler to provide residential waste collection services under the Program. City Council determined that adoption of the Program would improve waste collection in the City including by: increasing equity and lowering pricing; increasing composting of yard trimmings; reducing greenhouse gas emissions; saving on street maintenance; and ensuring a high level of waste collection customer service with enforcement capability.

D. Section 12-32(a)(3) of the City Code gives the City Manager authority to approve amendments to the Contract that the City Manager determines are necessary and appropriate to facilitate the Program provided they 1) do not increase costs to Program customers without an equal improvement in service, 2) do not substantially change the purposes of the Contract, and 3) do not increase obligations and responsibilities of the City.

E. The Code change made by this Ordinance streamlines the City’s administration of the Program by removing the third of these restrictions, which was included to ensure City Council’s involvement in Program decisions as the Program began implementation. Because the Program has been successfully implemented in large measure, this restriction on the City Manager’s authority to modify the Contract is no longer necessary.

F. Additionally, this change to Section 12-32(a)(3) will facilitate an anticipated Contract amendment to align the Program with the new statewide Extended Producer Responsibility program, which may result in additional City oversight responsibilities.

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 12-32 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 12-32. - City contract; City administrative fee; rates.

(a) The City may enter into an agreement with a licensed collector to become the City's contracted waste collector, subject to the following:

...

(3) The City Manager may approve and execute future amendments to the contract that the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to facilitate the program, so long as such amendments do not increase costs to program customers without a commensurate service improvement, **or** substantially modify the purposes of the contract, ~~or increase the obligations and responsibilities of the City as set forth in the contract.~~

...

Introduced, considered favorably on first reading on September 1, 2026, and approved on second reading for final passage on September 15, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: September 25, 2026

Approving Attorney: Ted Hewitt

Exhibit: None