

ORDINANCE NO. 050, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
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

A. Article II of Chapter 9 of the City Code describes limitations on open fires and open burning within the City (the “Open Burning Code”).

B. Article I of Chapter 9 of the City Code contains the City’s adopted version of the *International Fire Code*, with local amendments.

C. Section 9-4 of the City Code sets forth the penalty applicable to violations of Article I of Chapter 9 of the City Code.

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

E. Staff from the City Attorney’s Office and Poudre Fire Authority (PFA) have thoroughly reviewed Chapter 9 of City Code, 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.

F. City Council has determined and now finds that the adoption of this Ordinance is necessary for the health, safety, and welfare of the public.

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 9-4 of the Code of the City of Fort Collins is amended to read as follows:

Section 9-4. – Violations and penalties.

Any person who shall violate any of the provisions of this chapter or the International Fire Code, as amended, or who shall fail to comply with any of the provisions or who shall violate or fail to comply with any orders made thereunder or who shall act in any way in violation of any permits issued thereunder shall, severally and for each and every violation in noncompliance respectively, be guilty of a misdemeanor punishable by the penalty set forth in § 1-15 of this Code. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue, and all persons shall be required to correct or remedy the violations or defects within a reasonable time, and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense. The application of any penalty pursuant hereto shall not be held to prevent the forced removal of prohibited conditions nor the suspension or removal of a permit or license issued thereunder.

Introduced, considered favorably on first reading on March 18, 2025, and approved on second reading for final passage on April 1, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: April 11, 2025

Approving Attorney: Madelene Shehan/Travis Winter