

AGENDA ITEM SUMMARY

City Council



STAFF

Bailie Stine, Fort Collins Police Services
Sgt. Annie Hill, Fort Collins Police Services
Eric Keselburg, Parking Services

SUBJECT

Items Relating to the Fort Collins Traffic Code Regarding Parking of Certain Vehicles.

EXECUTIVE SUMMARY

A. Second Reading of Ordinance No. 160, 2024, Amending Fort Collins Traffic Code Section 1214 Regarding Parking of Certain Vehicles.

B. Second Reading of Ordinance No. 161, 2024, Amending Fort Collins Traffic Code Section 2002 Regarding Definitions.

These Ordinances, unanimously adopted on November 4, 2024, expand the scope of Fort Collins Traffic Code (FCTC) Section 1214 to allow for City-wide enforcement. Currently FCTC Section 1214 is only enforceable in certain designated residential zones. Additionally, this item will also ensure the language in FCTC Section 2002 is consistent across both sections.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinances on Second Reading.

BACKGROUND / DISCUSSION

Within the last 365 days, there have been approximately 700 calls-for-service involving campers or recreational vehicles parked within City limits. Many of the calls-for-service are for abandoned vehicles or other related municipal violations. These vehicles include but are not limited to, recreational vehicles (RVs), camper trailers, motor homes, or improvised versions of shelters built onto a vehicle. This includes calls-for-service both within and outside designated residential zones. The number of calls-for-service regarding this issue is a City-wide problem and not just relegated to the certain designated residential zones.

In April of 2023, the Homeless Outreach and Proactive Engagement (HOPE) team was established within Ft. Collins Police Services (FCPS). The HOPE team largely responds to police calls-for-service involving illegal camping or the illegal storage of vehicles on City streets. The vehicles being camped in or stored on City streets include, but are not limited to, standard motor vehicles, recreational vehicles (RVs), motor homes, camper trailers, or improvised versions of shelters built onto a vehicle. For the purposes of this discussion, the various vehicle types will be referred to as “vehicle(s).”

Citizens are notifying FCPS about these issues by calling the police department, contacting individual members of the HOPE team, or by completing an Access Ft. Collins complaint. The HOPE team then responds to the calls and addresses the issues within their legal justification.

Many of the calls-for-service that officers, including FCPS Community Service Officers, are being dispatched to are related to illegal camping or the illegal storage of vehicles on City streets, and do not only impact the designated residential zones as listed in FCTC Section 1214. These calls-for-service occur at public parks, parking lots open to the public, and City streets which are in areas zoned for non-residential use but have residences and businesses nearby. Common complaint locations include Colorado Welcome Center (3745 E. Prospect Rd.), Windsor Park and Ride (SW. Frontage Rd.), Harmony Park and Ride (4500 E. Harmony Rd.), the area near the Poudre River Whitewater Park (201 E. Vine St.), the area surrounding Conifer St., Blue Spruce Rd., and Red Cedar Cir., as well as new development sites around town.

Police officers, community service officers, and Ft. Collins Parking Services employees are finding that when a vehicle is parked in a non-residential zone and does not meet the definition of an abandoned vehicle as defined in FCTC Section 1801, their ability to take enforcement action is limited.

In addition to police calls-for-service and citizen concerns and complaints regarding the vehicles illegally camping or being illegally stored, these vehicles can also contribute to the threat of potential contamination to the storm water sewer system.

The City has a City-wide Municipal Separate Storm Sewer System (MS4) discharge permit issued by the Colorado Department of Public Health and Environment. The intent of the permit is to protect state waters by keeping pollutants out of the MS4, through which stormwater flows to creeks, lakes, and the Poudre River without treatment. One of the permit requirements is a program to prohibit the discharge of pollutants to the MS4, to ensure sources of pollutants are removed/cleaned up, and an enforcement mechanism and escalation process for repeated, intentional, and/or egregious violations.

The City, outside of campgrounds and proper RV / camper storage facilities, does not have a dumping station where vehicles with greywater and/or blackwater tanks can properly dispose of the waste. Legal dumping stations are commonly found at campgrounds, such as Fort Collins Lakeside KOA. For vehicles with these tanks, when not being properly disposed of, the contents of these tanks may leak onto the roadway. For those vehicles without blackwater or greywater tanks, individuals may resort to disposing of the bodily waste onto the street or ground. When vehicles are being illegally camped in or illegally stored on City streets, rather than in designated areas such as a storage facility, campground, or Safe Parking Lot, there is a threat of contamination to the MS4.

The City's Stormwater Environmental Regulatory team has had to respond to the following pollutants and MS4 issues related to vehicles illegally camping or being illegally stored, to include E. coli and other pathogens found in our rivers and creeks, nitrogen and phosphorus found in wastewater, automotive spills, trash, debris, and unknown waste left in streets that may result in harmful runoff and find its way to the MS4.

Along with the threat of contamination of MS4, having vehicles illegally stored or engaged in illegal camping also impacts the City's ability to maintain City streets. More specifically, these vehicles impact the ability for street sweepers or snowplows to perform their duties.

Vehicles parked throughout the City do not have appropriate amenities that a designated campground would have, such as electrical hookups, running water, or waste dumping stations. Another concern raised by officers, City employees, residences, and nearby businesses is the threat of fire and injury from the use of propane tanks, which are commonly used for cooking or providing heat. At least one of the calls-for-service has involved the explosion of such a propane tank in which the individuals were illegally camping in their vehicle. The risks extend to nearby businesses or residences when these fires occur.

In addition to the life and safety issues related to individuals engaged in illegal camping or the illegal storage of their vehicles, there is also an impact to neighborhood aesthetics and safe public conveyance when vehicles are stored on the street. One such impact is to multimodal users (bicyclists, pedestrians, etc.). Since there are only a handful of designated residential zones which specify a reasonable time to load/unload in the existing restrictions, vehicles which are being stored outside of those zones can impede bicycle lanes or sidewalks, potentially causing the multimodal user to enter the street and risk their safety.

Individuals illegally camping or illegally storing their vehicles on City streets, roadways, parking lots open to the public, rights-of-way, or public property affects more than the designated residential zones. It affects the entire City. The City must utilize every tool available to improve and protect the health, safety, and wellbeing of the community. Therefore, staff recommends the adoption of the amendment to expand the scope of FCTC Section 1214 to be applied City-wide and not only in certain designated residential zones. Staff also recommends the adoption of the amendments to the definition sections found in FCTC Section 2002.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

If enacted, an educational period of approximately 30 days will follow the adoption of the Ordinance. This will include social media posts educating the public about the change in the Code as well as officers educating the public as it applies in their contacts. Enforcement action will not take effect until after the education period is complete.

ATTACHMENTS

First Reading attachments not included.

1. Ordinance A for Consideration
2. Ordinance B for Consideration