

AGENDA ITEM SUMMARY

City Council



STAFF

Jeff Swoboda, Police Chief
Kristy Volesky, Assistant Chief

SUBJECT

Items Relating to Motor Vehicle Noise.

EXECUTIVE SUMMARY

- A. Second Reading of Ordinance No. 086, 2025, Adopting Section 1418, Unreasonable Vehicle Noise Prohibited in the Fort Collins Traffic Code.
- B. Second Reading of Ordinance No. 087, 2025, Amending Section 17-129 of the Code of the City of Fort Collins to Remove all Reference to Traffic Noise.
- C. Second Reading of Ordinance No. 088, 2025, Amending Section 225 of the Fort Collins Traffic Code to Clarify the Different Types of Equipment Violations Related to Mufflers.
- D. Second Reading of Ordinance No. 089, 2025, Amending Section 1-15 of the Code of the City of Fort Collins to Allow Some Specified Traffic Violations to be Designated as a Misdemeanor Offense.

These Ordinances, unanimously adopted on First Reading on May 20, 2025, present recommended changes to the City Code and Fort Collins Traffic Code to address enforcement of unreasonable noise in the city related to Motor Vehicles.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinances on Second Reading.

FIRST READING BACKGROUND / DISCUSSION

A work session was conducted on April 22, 2025, addressing a phased approach to addressing updates to the City Code related to traffic, fireworks and other sound-related issues in the city. Phase 1 focused on low effort to implement but high impact as it relates to education and enforcement and Phase 2 will focus on amplified noise, requiring further research and community outreach.

Phase 1: Police Services – Traffic Noise

Fort Collins Police Services (FCPS) staff continue to receive numerous reports from community members regarding noise occurrences throughout the City. These reports span a variety of sources, with examples including party complaints, general noise complaints, vehicle related noise complaints, and fireworks. In response, police staff have reviewed reported incidents and citations related to noise violations from 2023 to 2024. The goal was to assess how effectively current ordinances are being used in enforcement and

what code updates would better assist police in enforcement of these violations. Through this analysis, two primary areas related to traffic were identified and presented to the Council at the April 22 work session, adding a new unreasonable traffic noise ordinance and amending the current muffler ordinance in the Fort Collins Traffic Code.

Unreasonable Traffic Noise (Section 1418 Fort Collins Traffic Code)

The first recommendation is to establish a new ordinance within the City's Traffic Code specifically addressing prohibited actions related to the operation of motor vehicles. While the existing Unreasonable Noise Prohibited section touches on some aspects of vehicle noise, it primarily focuses on residential noise occurrences. A dedicated ordinance would provide clearer, more targeted language, enabling more effective enforcement. This recommendation is driven by a noticeable increase in complaints about vehicle-related noise, including loud stereos, ineffective mufflers, engine revving, and similar concerns.

In the proposed new ordinance, unreasonable traffic noise would mean any sound of such level or duration as to be or tend to be injurious to human health or welfare, or which would unreasonably interfere with the enjoyment of life or property. Several factors such as time of day, location, and the type of noise generated will be taken into consideration when an officer makes a prima facie determination as to whether a noise is unreasonable. This change would also allow officers to write tickets more efficiently using the same process as other traffic violations.

Unreasonable Noise (Section 17-129 City Code)

The second recommendation is to update Section 17-129- Unreasonable Noise Prohibited in the City Code to remove any reference of traffic noise. This update will provide clarity regarding which ordinance applies to traffic related noise violations vs all other general noise violations such as parties. The traffic noise provisions in the current code will be relocated into the new Unreasonable Traffic Noise Prohibited ordinance.

Mufflers (Section 225 Fort Collins Traffic Code)

The third recommendation involves clarifying and restructuring the current muffler ordinance listed in Section 225 of the Fort Collins Traffic Code. Updating the muffler language will enhance clarity and allow police staff to apply the ordinance more effectively during enforcement efforts. Specifically, the ordinance is broken out into sections adding clarity for officers to enforce equipment violations related to noise.

General Penalties Traffic Offenses (Section 1-15 City Code)

The final recommendation is to update City Code Section 1-15- General penalty and surcharges for misdemeanors offenses, petty offenses, traffic offenses, and traffic and civil infractions. The current code states that for all traffic offenses that do not have a state equivalent shall be deemed a traffic infraction. The new proposed unreasonable traffic noise ordinance does not have a state equivalent charge and therefore would be penalized as an infraction with a fine set by the Court's fine schedule that can be paid online and does not require an appearance in court. The proposed update would allow specified code provisions, such as unreasonable traffic noise, to be classified as a misdemeanor offense instead of a traffic infraction. This change will require the driver to appear in court where the prosecution can meet with the driver to encourage changed behaviors and future compliance with the law.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

First Reading attachments available in May 20, 2025, agenda materials at the following link:
<https://fortcollins-co.municodemeetings.com/>.

1. Ordinance No. 086, 2025
2. Ordinance No. 087, 2025
3. Ordinance No. 088, 2025
4. Ordinance No. 089, 2025