

ORDINANCE NO. 093, 2005
OF THE COUNCIL OF THE CITY OF FORT COLLINS
SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF
FORT COLLINS A PROPOSED AMENDMENT TO ARTICLE II OF THE
CITY CHARTER, PERTAINING TO PUBLICATION OF ORDINANCES

WHEREAS, Article IV, Section 8 of the Charter of the City of Fort Collins provides that the Charter may be amended as provided by the laws of the State of Colorado; and

WHEREAS, Section 31-2-210, C.R.S., provides that Charter amendments may be initiated by the adoption of an ordinance by the Council submitting a proposed amendment to a vote of the registered electors of the City of Fort Collins; and

WHEREAS, Article II, Section 7 of the Charter presently provides that every proposed ordinance, except an emergency ordinance, must be published once in full at least seven days before its final passage in a newspaper of general circulation published in the city, which publication shall contain a notice giving the date when said proposed ordinance will be presented for final passage; and

WHEREAS, Article II, Section 7 of the Charter also provides for publication of a notice of final passage of an ordinance, which notice must contain the number and title of such ordinance; and

WHEREAS, the City Clerk and City Manager believe it would be more cost effective to publish ordinances, prior to final passage, in full on the City's web site, and by number and title only in a newspaper of general circulation, which will result in a significant reduction in advertising costs; and

WHEREAS, in recognition of increased technology and in an effort to reduce expenditures, the City Council believes that the proposed amendment to the above-referenced publication requirement should be submitted to the registered electors of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the following proposed change to Article II, Section 7 of the City Charter shall be submitted to the registered electors of the City as "Proposed Charter Amendment No 1" at a special municipal election to be held in conjunction with the Larimer County Coordinated Election on Tuesday, November 1, 2005:

Section 7. Ordinances, publication and effective date.

Every proposed ordinance, except an emergency ordinance, shall be published ~~once~~ in full at least seven (7) days before its final passage ~~in a newspaper of general circulation published in the city~~ on the city's official internet web site. In addition, each such ordinance shall be published in a

newspaper of general circulation in the city by number and title only, together with a statement that the full text is available for public inspection and acquisition in the office of the City Clerk and on the city's internet web site. ; ~~which~~Both publications shall contain a notice giving of the date when said proposed ordinance will be presented for final passage. ~~If on final passage such ordinance is passed in the same form as published, no further publication of such ordinance shall be required; except that t~~The City Clerk shall, within seven (7) days after final passage of any such ordinance, publish a notice of such final passage which shall contain the number and title of such ordinance in the same method as is required for the first publication. All ordinances, except emergency ordinances, shall take effect on the tenth day following their passage. An emergency ordinance shall take effect upon passage and shall be published as provided above within seven (7) days thereof.

~~When the Council deems it appropriate, publication of the title of an ordinance, or the title of an amendment thereto, together with a comprehensive summary of the substance of the ordinance or amendment thereto and with a statement that the text is available for public inspection and acquisition in the office of the City Clerk, shall be sufficient publication. However, when the Council deems it appropriate, ordinances authorizing the issuance of municipal bonds, other securities or evidences of municipal borrowing as authorized in Article V, Section 18 of this Charter may be published by title only with a statement that the text is available for public inspection and acquisition in the office of the City Clerk. Standard codes and codifications of ordinances of the city may be published by title and reference in whole or in part.~~

Ordinances shall be signed by the Mayor, attested by the City Clerk and published without further certification.

The Council may enact any ordinance which adopts any code by reference in whole or in part provided that before adoption of such ordinance the Council shall hold a public hearing thereon and notice of the hearing shall be published twice in the newspaper of general circulation, published in the city, one (1) of such publications to be at least eight (8) days preceding the hearing and the other at least fifteen (15) days preceding the hearing. Such notice shall state the time and place of the hearing and shall also state that copies of the code to be adopted are on file with the City Clerk and open to public inspection. The notice shall also contain a description which the Council deems sufficient to give notice to persons interested as to the subject matter of such code and the name and address of the agency by which it has been promulgated. The ordinance adopting any such code shall set forth in full any penalty clause in connection with such code.

Section 2. That the following ballot language is hereby adopted for submitting Proposed Charter Amendment No. 1 to the voters at said election:

CITY OF FORT COLLINS 2__
CITY-INITIATED
PROPOSED CHARTER AMENDMENT NO. 1

Shall Article II Section 7 of the City Charter be amended to change the publication requirement for ordinances of the City Council so as to permit publication in a local newspaper by number and title only, and to require publication of the full text of any ordinance on the City's official internet web site?

YES
 NO

Introduced and considered favorably on first reading, and ordered published this 16th day of August, A.D. 2005, and to be presented for final passage on the 6th day of September, A.D. 2005.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 6th day of September, A.D. 2005.

Mayor

ATTEST:

City Clerk