



City Manager's Office
300 Laporte Avenue
PO Box 580
Fort Collins, CO 80522
970.221.6505
970.224.6107
fcgov.com

EMERGENCY RULES AND REGULATIONS

No. 2020-05

To all persons take notice:

That for the protection of life, health, safety and property as affected by reason of the Novel Coronavirus 2019 (COVID-19), which resulted in my declaration of a “local emergency” under the authority of Chapter 2, Article IX of the Code of the City of Fort Collins, (the “City”) and which declaration of local emergency was filed with the City Clerk and with the Colorado Division of Emergency Management on March 13, 2020 and extended by City Council adoption of Resolution 2020-030 on March 20, 2020, I have hereby established, under the authority of Sec. 2-671(a)(6)a, the following rules and regulations:

1. Commencing on March 23, 2020, and until further notice, individuals may occupy any recreational vehicle parked on private property, with written permission from the property owner, for working, living or sleeping purposes in order to use that recreational vehicle to promote physical distancing and/or quarantine. Therefore, I am ordering:

a. City staff shall not enforce City Code Section 17-182(b) against persons occupying recreational vehicles parked on private property within the City, with written permission from the property owner; however, City staff shall still enforce City Code Section 17-182(b) against persons using motor vehicles or trailers for camping on private property, with or without permission from the property owner, or using recreational vehicles used for camping on private property without written permission from the property owner, in violation of that section.

b. City staff shall not enforce City Code Section 20-105(a) against recreational vehicles parked in any yard of any residential lot, with written permission from the property owner for the purposes described herein; however, City staff shall still enforce City Code Section 20-105(a) against motor vehicles or trailers and it shall still be unlawful to park or store a recreational vehicle in violation of City Code Section 20-105(b).

c. A homeowners’ association or other entity charged with enforcement of a declaration applicable to a residential condominium association or a common interest ownership community under Title 38, Articles 33 or 33.3 of the Colorado Revised Statutes shall not enforce any provision of such a declaration or covenant prohibiting or limiting parking, occupancy or use of a recreational vehicle on private property or private streets for working, living or sleeping

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purposes to promote physical distancing and/or quarantine, so long as the recreational vehicle is owned by the owner or occupant of the residential unit and is parked:

- (1) on a portion of the privately owned lot that provides direct access to a garage from a street; or
- (2) on a privately-owned street directly adjacent to the recreational vehicle owner's residential unit; or
- (3) on an improved area of a privately owned lot having a surface of asphalt, concrete, rock, gravel or other similar inorganic material, with a permanent border that defines the parking area and that is designed and constructed to prevent loose material, such as rock or gravel, from spilling onto any abutting public street or sidewalk; or
- (4) in a side or backyard of a privately owned lot placed behind sufficient screening, such as a solid fence, masonry wall or shrubbery, no less than six (6) feet high.

d. No recreational vehicle parked pursuant to this emergency regulation shall be parked in such a manner as to obstruct or interfere with pedestrian or vehicle traffic or the view of any intersection or official traffic control device.

3. I find that this emergency rule and regulation is reasonable and necessary to promote physical distancing in order to promote the health, safety and welfare of the public because it will provide members of the public with options to distance themselves from others within their household or quarantine during the local emergency.

4. Nothing in this emergency regulation shall prevent the City from utilizing such other legal mechanisms as are available to it, including, without limitation, the Traffic Code, the Fire Code, the Building Code, Chapter 20, Article I of the City Code and/or the Uniform Code for abatement of dangerous buildings in cases of emergency.

Pursuant to Section 2-671(e) of the City Code, the rules and regulations set forth herein shall be disseminated to local radio and television stations and to a newspaper having a general circulation within the City. A knowing violation of these rules and regulations shall be a misdemeanor punishable under Section 1-15 of the City Code.

DATED this 25th day of March, A.D. 2020.

DocuSigned by:

A handwritten signature in dark ink that reads "Darin A. Atteberry".

Darin A. Atteberry, City Manager



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Memorandum

DATE: March 25, 2020

TO: All City Employees

FROM: Darin A. Atteberry, City Manager

RE: Administrative Guidance on Emergency Rule and Regulation No. 2020-05:
Occupying Recreational Vehicles on Private Property

The attached Emergency Rule and Regulation 2020-05 ("Rule #5") allows individuals to occupy recreational vehicles parked on private property, with written permission of the property owner, for working, living or sleeping purposes in order to use that recreational vehicle to promote physical distancing and/or quarantine. This administrative guidance is meant to help City staff understand how Rule #5 affects current City enforcement procedures:

Under Rule #5, individuals with a recreational vehicle **MAY**:

- Occupy a recreational vehicle to camp on private property, with written permission from the owner of the property, for living, working or sleeping purposes.
- Park a recreational vehicle upon a private street adjacent to the recreational vehicle owner's residential unit, for living, working or sleeping purposes, so long as the recreational vehicle does not obstruct or interfere with pedestrian or vehicle traffic or the view of any intersection or traffic control device.
- Park or store a recreational vehicle in any yard of any residential lot for the purposes described above, so long as the recreational vehicle does not obstruct or interfere with pedestrian or vehicle traffic or the view of any intersection or traffic control device.

Under Rule #5, individuals still **SHALL NOT**:

- Occupy a recreation vehicle on private property without written permission from the owner.
- Occupy a motor vehicle or trailer to camp on private property whether or not they have permission from the property owner, or otherwise camp on private property in violation of City Code 17-182.
- Occupy a recreational vehicle, motor vehicle or trailer to camp on public property, or otherwise camp on public property in violation of City Code 17-181.
- Park or store any unsheltered motor vehicle or trailer in any yard on any residential lot, unless such parking or storage meets the requirements of City Code 20-105.

Administrative Guidance on Emergency Rule and Regulation #5

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Under Rule #5, homeowner associations, or other entities, may not enforce any declaration that is contrary to Rule #5 as long as the recreational vehicle is parked:

1. On a portion of a privately owned lot that provides direct access to a garage from a street; or
2. On a privately-owned street directly adjacent to the recreational vehicle owner's residential unit; or
3. On an improved area of a privately owned lot having a surface of asphalt, concrete, rock, gravel or other similar inorganic material, with a permanent border that defines the parking area and that is designed and constructed to prevent loose material, such as rock or gravel, from spilling onto any abutting public street or sidewalk; or
4. In a side or backyard of a privately owned lot placed behind sufficient screening, such as a solid fence, masonry wall or shrubbery, no less than six (6) feet high; and
5. Is not parked in such a manner as to obstruct or interfere with pedestrian or vehicle traffic or the view of any intersection or official traffic control device.

Please contact the City Attorney's Office if you have any other questions.

DATED this 25th day of March, A.D. 2020.

DocuSigned by:

A handwritten signature in black ink that reads "Darin A. Atteberry".

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Darin A. Atteberry

City Manager