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EMERGENCY RULES AND REGULATIONS No. 2020-6

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 April 2, 2020, and until further notice, a place of worship or assembly as defined in the City Land Use Code and currently approved under the Land Use Code and operating in conformance with all Land Use Code, City Code, and other applicable legal requirements may conduct live religious services on its property consisting of worshipers arriving and remaining in their respective enclosed passenger vehicles to view a live religious service conducted inside the place of worship or assembly and displayed on an outdoor video screen, or otherwise projected on an outdoor screen, (hereinafter, “Drive-Up Religious Service”). Therefore, I am ordering:
 - a. A place of worship or assembly may conduct a Drive-Up Religious Service provided the following restrictions are followed:
 - i. Before scheduling and holding a Drive-Up Religious Service, a place of worship or assembly must confer with the State and County health departments regarding any executive and public health “stay-at-home” orders issued or amended from time to time (“Orders”) to determine whether such a Service is permitted under applicable Orders. This Emergency Regulation does not authorize any Drive-Up Religious Service that violates such Orders.
 - ii. The live religious service conducted indoors for outdoor display shall be conducted by the smallest number personnel of place of worship or assembly reasonably feasible, but in all cases fewer than 10 people, maintaining at least six (6) feet of distance between each of them at all times. Access to the interior of the place of worship or assembly by worshipers remains prohibited to the extent set forth in any federal, state, or county Order.

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- iii. No audio related to the Drive-Up Religious Service may be played over outdoor speakers to be heard by worshipers within their enclosed passenger vehicles. All audio related to the Drive-Up Religious Service must be broadcast so that worshipers may listen to the audio on radios or other electronic devices inside their enclosed passenger vehicles.
 - iv. All enclosed passenger vehicles containing worshipers at the Drive-Up Religious Service must be parked within existing approved parking areas on the property where the place of worship or assembly is located and emergency access areas must be unobstructed.
 - v. All enclosed passenger vehicle doors, windows, convertible tops, and other openings to the outside shall remain fully closed unless at least six (6) feet of distance exists between any open opening and the closest enclosed passenger vehicle or person.
- b. During the time this emergency rule and regulation is in effect, the City shall not enforce any Land Use Code regulation that would prohibit a Drive-Up Religious Service.
3. I find that this emergency rule and regulation is reasonable and necessary to promote the health, safety and welfare of the public by promoting the spiritual health and well-being of worshipers.
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.

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 2nd day of April, A.D. 2020.

DocuSigned by:

Darin A. Atteberry

Darin A. Atteberry, City Manager