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EMERGENCY RULES AND REGULATIONS

No. 2020-08

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. In accordance with the guidance of the Larimer County Sixth Public Health Order Re: Stay-At-Home dated March 25, 2020 defining “essential businesses” (which currently expires on April 17, 2020, although it may be extended or replaced with a subsequent similar Order), this additional Regulation regarding Temporary Sign Encroachment is now appropriate. I have hereby established on April 3, 2020, under the authority of Sec. 2-671(a)(6)(a) the following rules and regulation:

1. Commencing April 3, 2020, and until further notice, City staff shall not enforce the Fort Collins Municipal Code Section 23-46 (Encroachment in the Right of Way) or Section 23-81 (Permit requirement for encroachment into the City’s Right of Way) as they relate to temporary signage placed by essential businesses that are otherwise compliant with Chapter 24 of the Fort Collins Municipal Code and Section 3.8.7.3 of the Fort Collins Land Use Code, so long as the City Engineer, or his designee, do not determine the placement of the temporary signage creates a significant safety concern or safety hazard.
2. Additionally, commencing April 3, 2020, and until further notice, City staff shall not enforce City Land Use Code Section 3.8.7.3(D) with regards to citations for Temporary Sign Encroachment in the Right of Way for essential businesses regardless of whether a sign has exceeded the time limit for such sign, provided it is consistent with this Emergency Regulation.
3. Additionally, commencing April 3, 2020, and until further notice, City staff shall not enforce Fort Collins Land Use Code Section 3.8.7.3(E) for essential businesses with respect to Banners and Pennants regardless of whether such Banner or Pennant has exceeded applicable the time limit, provided it is consistent with this Emergency Regulation.
4. For the purpose of this emergency regulation, “essential business” shall be defined in reference to the current Colorado State Department of Public Health implementation Implementing

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the Stay at Home Order ("Order"). This Regulation is always meant to be read in conjunction with the most current version of this Order.

5. No other modifications to the City of Fort Collins Land Use Code or Municipal Code are intended. Citizens shall continue to comply with all design, location, installation, illumination, display, operation, repair, maintenance, material, size, placement, safety and content regulations.

6. This regulation in no way restricts City staff's ability and authority under LUC 3.8.7.1(2)(B)(1)(a) & (b) to promote public safety and direct action in accordance therewith.

7. I find that this emergency rule and regulation is reasonable and necessary to promote the health, safety and welfare of the public as it will allow essential business, which are permitted to stay open under various state and county orders, to identify themselves to [or communicate with] people who need to locate them during the pendency of the emergency.

8. 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.

9. 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.

10. This Emergency Order shall remain in effect until superseded or rescinded, or until the Order expires and extended or superseded by a subsequent Order, or upon the termination of the local emergency, whichever first occurs.

DocuSigned by:

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

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Darin A. Atteberry, City Manager

Dated: 4/4/2020