

ORDINANCE NO. 109, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ESTABLISHING THE CHARTER AMENDMENTS TO APPEAR ON
THE NOVEMBER 4, 2025, MUNICIPAL ELECTION BALLOT AND
THE RELATED BALLOT ORDER

A. The City of Fort Collins Charter is the governing document that defines the City organization and the powers and functions of the City. The Charter was first created by a vote of the people of Fort Collins in 1954 and can only be amended by a vote of the people.

B. Over time, Charter provisions may become obsolete, contradictory, or warrant change to address current needs or trends.

C. Article IV, Section 8 of the Charter provides the Charter may be amended as provided by the laws of the State of Colorado. Colorado Revised Statutes Section 31-2-210 provides that charter amendments may be initiated by the adoption of an ordinance by the City Council submitting a proposed amendment to a vote of the registered electors of the City.

D. On February 27, 2024, the City Council adopted Resolution 2024-024, which adopted a Council priority to modernize and update the City Charter. Resolution 2024-24 noted that although small parts of the Charter are reviewed and updated on a regular basis, there is a need to modernize and update the City Charter, which has not been done in over 25 years.

E. At its May 14, 2024, Work Session, the Council provided positive feedback to staff in support of conducting a comprehensive review of the City Charter to align with state law and legal developments; update language in the Charter to be inclusive; focus on cleanup and modernization rather than policy changes and to make changes for ease of reading and clarity.

F. City staff presented various options, including the possible groupings of amendments, to City Council at Work Sessions held on December 10, 2024, January 28, 2025, and June 3, 2025.

G. On April 15, 2025, Council adopted on second reading Ordinances No. 063, No. 064, No. 065, No. 066 and No. 067, setting ballot titles and submittal clauses for the Charter amendments as set forth in those Ordinances.

H. At its June 3, 2025, Work Session, Council discussed potential Charter revisions to update the Council vacancy process, and discussed the Council's preferred order of the various ballot questions on the November 4, 2025, regular municipal election ballot.

I. The Council continues to desire that the ballot titles and submittal clauses set forth below in this Ordinance be submitted to the registered electors of the City of Fort Collins at the November 4, 2025, regular municipal election, in the order provided below.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following ballot title and submission clause, as set out in Ordinance No. 063, 2025, are hereby adopted as Proposed Charter Amendment No. 1 to be submitted to the registered electors of the City of Fort Collins at the November 4, 2025, regular municipal election:

**CITY-INITIATED
PROPOSED CHARTER AMENDMENT NO. 1**

Shall Articles II, IX, and X of the Charter of the City of Fort Collins, be amended to correct errors and eliminate outdated or unnecessary language in light of the Charter amendments adopted in November 2024, by:

- Clarifying in Section 2(d) of Article II that a registered elector must notify the City Clerk before seeking a court determination to challenge the qualifications of any member of the Council; and
- Updating language in Section 2(e)(1) of Article IX about determining the number of votes cast in a specific race to work with the new ranked voting rules that were approved in November 2024; and
- Changing language in Section 2(e)(1) of Article X to restore the number of days for a signature gatherer to circulate an initiative petition by increasing it from 63 days to 77 days?

_____ Yes/For
_____ No/Against

Section 2. The following ballot title and submission clause, as set out in Ordinance No. 067, 2025, are hereby adopted as Proposed Charter Amendment No. 2 to be submitted to the registered electors of the City of Fort Collins at the November 4, 2025, regular municipal election:

**CITY-INITIATED
PROPOSED CHARTER AMENDMENT NO. 2**

Shall the Charter of the City of Fort Collins be amended to modernize and update it by reformatting and updating language usage for ease of reading and clarity, and eliminating inapplicable and invalid provisions, without undoing any

substantive Charter amendments approved by the voters at the Tuesday, November 4, 2025, municipal election, by:

- Changing the words "shall" to "will," "must" or "may," or other words to improve clarity; and
- Making the language more inclusive by taking out words "he" and "she" and related word forms; and
- Dividing sections into subsections and adding titles to subsections to make them easier to read and understand; and
- Eliminating transitional provisions that
 - Address residency requirements for City department heads appointed prior to March 6, 1985 (Section 3 of Article IV); and
 - Set a mill levy cap on Council's adoption of taxes (Section 6 of Article IV), which Council must now adopt only with voter approval; and
 - Provide for transition from the prior Charter when the Charter was adopted (Article XIV); and
- Renumbering and updating section cross-references throughout the Charter?

_____ Yes/For
_____ No/Against

Section 3. The following ballot title and submission clause, as set out in Ordinance No. 065, 2025, are hereby adopted as Proposed Charter Amendment No. 3 to be submitted to the registered electors of the City of Fort Collins at the November 4, 2025, regular municipal election:

**CITY-INITIATED
PROPOSED CHARTER AMENDMENT NO. 3**

Shall Articles II and IV of the Charter of the City of Fort Collins, be amended to modernize publication requirements and requirements for adopting ordinances, by:

- Revising Section 6 of Article II about adopting ordinances, resolutions, and motions to:
 - Make the provision easier to read and understand by adding subsections, subsection titles and better organizing them;
 - Remove language entitling any Councilmember to request that an entire ordinance be read aloud at a Council meeting; and
- Revising Section 7 of Article II about publication and effective date of ordinances to:
 - Allow an ordinance to proceed to adoption if publication of the ordinance before adoption was not timely, so long as all other notice requirements have been met; and

- Cure late publication of ordinance after final passage if publication completed within a reasonable period of time; and
- Delay the effective date of the ordinance until publication requirements are met; and
- Toll the deadline to file a notice of referendum protest; and
- Revising Section 7 of Article IV to require notice be published on the City's website and posted at City Hall, instead of publishing formal legal notices in a local newspaper; and
- Adding a new Section 17 to Article IV of the Charter of the City of Fort Collins about how to apply deadlines throughout the Charter in the manner already enacted for Articles VIII, IX and X?

_____ Yes/For
 _____ No/Against

Section 4. The following ballot title and submission clause, as set out in Ordinance No. 064, 2025, are hereby adopted as Proposed Charter Amendment No. 4 to be submitted to the registered electors of the City of Fort Collins at the November 4, 2025, regular municipal election:

**CITY-INITIATED
 PROPOSED CHARTER AMENDMENT NO. 4**

Shall Articles II, IV, XIII of the Charter of the City of Fort Collins be amended to improve consistency with amended or further developed laws and removing inconsistencies, in order to minimize conflicts between the Charter legal developments, by:

- Changing Section 8 of Article II about contributions to City Council elections to:
 - Specify which city employees are prohibited from contributing to Council elections for consistency with state law;
 - Continue to prohibit a political party, public service corporations, and persons or entities with city contracts from contributing to any City Council election, while recognizing that some speech is protected by the U.S. or Colorado constitution;
- Adding definitions to Article XIII to correspond to the changes to Article II; and
- Adding language to Section 11 of Article II incorporating state law provisions regarding City Council executive sessions; and
- Clarifying language in Section 5 of Article IV that City records are available for public inspection and disclosure consistent with state open records laws?

_____ Yes/For
_____ No/Against

Section 5. The following ballot title and submission clause, as set out in Ordinance No. 066, 2025, are hereby adopted as Proposed Charter Amendment No. 5 to be submitted to the registered electors of the City of Fort Collins at the November 4, 2025, regular municipal election:

**CITY-INITIATED
PROPOSED CHARTER AMENDMENT NO. 5**

Shall Section 9 of Article IV of the Charter of the City of Fort Collins, regarding conflicts of interest, be amended to:

- Allow City Councilmembers or the Mayor to sell real property to the city if the property is needed for a city project or public use, while retaining all requirements for disclosure and refraining from involvement that otherwise apply in the case of a conflict of interest; and
- Allow City employees to rent property from the city with City Manager approval, if it is for the city's benefit and related to the employee's performance of their job?

_____ Yes/For
_____ No/Against

Section 6. The following ballot title and submission clause, as set out in Ordinance No. 108, 2025, are hereby adopted as Proposed Charter Amendment No. 6 to be submitted to the registered electors of the City of Fort Collins at the November 4, 2025, regular municipal election:

**CITY-INITIATED
PROPOSED CHARTER AMENDMENT NO. 6**

Shall the Charter of the City of Fort Collins be amended to revise Section 1 and Section 18 of Article II to update the process for filling a vacant district Councilmember or Mayoral office and to clarify how existing term limits apply to partial terms to fill a vacancy, by:

- Adding a new subsection (e) to Section 1 of Article II providing that if a person serves a total of more than one-half a term in office, this will count as a term when determining term limits; and

- Revising Section 18 of Article II to:
 - Add procedural steps including public announcement of a vacancy and acceptance of applications to the process for filling vacancies;
 - Require Council to appoint a replacement to fill a District Councilmember vacancy within 35 business days;
 - Retain the provision that if the Mayor office is vacated, the Mayor Pro Tem becomes the Acting Mayor and Council selects a new Mayor Pro Tem during the time there is an Acting Mayor;
 - Require the Council to fill the district Councilmember seat that is vacant for the time the Mayor Pro Tem serves as Acting Mayor using the vacancy filling process;
 - Provide that any vacated office will appear on the next regular municipal election ballot for which process requirements can be met; and
 - State that if there is no qualified candidate for an elected office on a municipal election ballot, the Council organized after the election will then appoint a qualified person to fill the resulting vacancy?

_____ Yes/For
 _____ No/Against

Section 7. The Council hereby directs the City Clerk to publish all required notices for these proposed Charter amendments including such corrections and editorial adjustments as may be needed.

Section 8. The Council hereby directs the City Clerk submit to the Larimer County Clerk and Recorder the foregoing ballot titles and submission clauses, as set forth herein, including such corrections and editorial adjustments as may be needed.

Introduced, considered favorably on first reading on June 17, 2025, and approved on second reading for final passage on July 1, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: July 11, 2025

Approving Attorney: Carrie Daggett

Exhibit: None